

JOURNAL
OF THE
SENATE
OF THE
State Of Alabama
REGULAR SESSION OF 1955
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COMMENCING MAY 3, 1955



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SECRETARY OF THE SENATE

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JOURNAL

OF THE

SENATE

OF THE

State Of Alabama

REGULAR SESSION OF 1955

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, JULY 29, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. Blount F. Davidson, Superintendent of Missions, Montgomery Baptist Association, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

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JOURNAL

On motion of Mr. Flowers, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Calvin, leave of absence was granted Mr. Smith for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled

Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 52. Relative to naming S. B. 155 & S. B. 174.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Yarbrough (Randolph):

S. B. 303. To provide for the transfer of all surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund after the payment of all appropriations made or hereafter made payable from said fund during the fiscal year ending September 30, 1955, to the Alabama Special Educational Trust Fund Surplus Account; and to appropriate to the Minimum Program Fund one-half of said surplus for the fiscal year ending September 30, 1956, and one-half of said surplus for the fiscal year ending September 30, 1957, not in excess of \$1,435,773 annually.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Roberts:

S. B. 304. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; creating a personnel board for such cities and providing for the appointment, tenure, compensation, conditions of employment and removal of certain officers and employees of such cities; and prescribing penalties for violations of the Act.

COMMITTEE ON LOCAL LEGISLATION.

By Messrs. Shelton and Flowers:

S. B. 305. To provide and require uniform health and sanitary standards or requirements throughout the State of Alabama for testing, inspection and grading of milk sold for human consumption.

COMMITTEE ON PUBLIC HEALTH.

By Mr. Bradford:

S. B. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said act as amended, by providing under sub-section (1) of said section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in sub-section (2) of said section shall be eight cents per thousand feet board measure lumber tally, and that sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Bradford:

S. B. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in sub-section (d) of said section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Lamberth:

S. B. 308. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Jones:

S. B. 309. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

COMMITTEE ON CONSTITUTION AND CONSTITUTIONAL REVISION AND AMENDMENTS.

The above bill was read a first time at length as required by the Constitution.

By Mr. Metcalf:

S. B. 310. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Metcalf:

S. B. 311. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Vann:

S. B. 312. To limit the power of housing authorities and redevelopment agencies created and operating under the provisions of Title 25 of the Code of Alabama (1940), as amended, or any law supplemental thereto, prohibiting the disposal for private use of any real property acquired by any such authority or agency by condemnation or exercise of the right of eminent domain.

COMMITTEE ON JUDICIARY.

By Mr. Robison:

S. B. 313. To amend further Section 46 of Title 61 of the 1940 Code of Alabama, which relates to the probate and record in the courts of the State of Alabama of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

COMMITTEE ON JUDICIARY.

By Mr. Robison:

S. B. 314. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not

more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and re-appointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

COMMITTEE ON LOCAL LEGISLATION.

By Mr. Leonard:

S. B. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

COMMITTEE ON LOCAL LEGISLATION.

By Mr. Robison:

S. B. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Roberts:

S. B. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

COMMITTEE ON LOCAL LEGISLATION.

By Mr. Reeves:

S. B. 318. To repeal Act No. 46, H. 36, approved April 6, 1955, entitled "An Act to regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940."

COMMITTEE ON AGRICULTURE.

By Mr. Robison:

S. B. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

COMMITTEE ON LOCAL LEGISLATION.

By Mr. Lamberth (by request):

S. B. 320. To amend section 739 of Title 37 of the Code of Alabama, 1940.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Lamberth (By request):

S. B. 321. To amend Act No. 323, H. 35, approved August 2, 1949, as amended by Act No. 38, H. 6, approved April 1, 1955, for a refund of a portion of the state tax paid on gasoline used to propel tractors, commercial fishing boats and certain other motor vehicles; prescribing a procedure for effecting refunds, authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the act, and prescribing penalties therefor.

COMMITTEE ON FINANCE AND TAXATION.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp:

S. 265. To amend Section 201 of Title 15 of the Code of Alabama of 1940 as last amended July 8, 1949.

By Mr. Skidmore:

S. 139. To amend Section 119 of Title 7 of the 1940 Code of Alabama relating to suits for injury causing death of minor child.

By Mr. Reeves:

S. 297. To amend Sections 34 and 100 of Title 11, Code 1940, which relate to the fees and allowances of sheriffs.

By Mr. Skidmore:

S. 88. To amend Section 123 of Title 7 of the 1940 Code of Alabama, relating to actions for wrongful act, omission, or negligence causing death.

By Messrs. Jenkins, et al:

H. 83. Relating to crimes and offenses: To make it a misdemeanor for any person to leave in any place accessible to children, abandoned, unattended, or discarded iceboxes, refrigerators and the like, without removing locks or doors from the same; to provide for punishment of such acts; to declare such iceboxes and the like public nuisances, and to provide for abatement of the same; to repeal all conflicting laws.

By Messrs. Simon, et al:

H. 67. To amend Section 123 of Title 7 of the Code of Alabama, 1940, relating to actions for wrongful act, omission or negligence causing death.

By Mr. Metcalf:

S. 136. To designate the Chief Attorney of the Department of Conservation as Chief Legal Counsel for said Department; to designate the Assistant Attorneys as Assistant Legal Counsel; to provide that such Counsel shall be commissioned Assistant Attorneys General and to provide for the duties and compensation of the Legal Personnel of said Department.

By Messrs. Smith, Metcalf, Davis (Pickens), Engelhardt, Yarbrough (Randolph), Yarbrough (Autauga), Moses, Cooper Shelton, Flowers, Givhan, Newton, Coleman, Eddins, Reeves, Calvin, Jones, Van Antwerp, and Bradford.

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

By Mr. Metcalf:

S. 107. To amend Section 44 of Title 11, Code of Alabama (1940), which relates to the fees allowed witnesses for mileage and attendance in civil cases.

By Mr. Brown (Lee):

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

By Messrs. Crook, et al:

H. 9. To amend Title 14, Section 217, Code of 1940.

By Messrs Crook, et al:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge

of accounts receivable and to eliminate fraud in connection with secret assignments."

By Messrs. Crook et al:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

By Mr. Harrison:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 213. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 202. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 203. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 204. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 205. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 206. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 207. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 208. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 209. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 210. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 211. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

By Messrs. Newton, Roberts, Lamberth, Robison, Allen, Skidmore, Cantrell, Goodwin, Van Antwerp, Vann, Cooper, Flowers, Eddins, Metcalf and Givhan:

S. 212. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

By Messrs. Martin and Ramey:

H. 295. To amend Sections 42, 44 and 45 of Title 36, Code of Alabama (1940), as amended, which relate to lighting equipment required on motor vehicles.

By Mr. Nice:

H. 371. To amend Section 6 of Title 14, Code of Alabama (1940), which relates to the crime of kidnapping; raising the maximum sentence from ten to twenty-five years.

By Mr. Flowers:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

By Mr. Jones:

S. 214. To authorize any circuit judge to excuse from jury service, on or before trial date, any juror summoned in a capital case who is exempt under the law from serving as a juror and who claims such exemption as a reason for not serving; and to provide the effective date hereof.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engelhardt, Givhan and Davis (Pickens) (With Amendment) (without recommendation):

S. 268. To regulate the solicitation of funds by or on behalf of associations and organizations; to prohibit the solicitation of funds by or on behalf of certain associations or organizations; to provide for the enforcement of the Act; and to prescribe penalties for violations of the Act.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite (With substitute):

H. 57. Relating to actions on certain contracts of insurance: To provide for recovery of benefits by one assured when more than one party is named as the assured in a contract of insurance.

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 295. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp:

S. 170. To authorize the Commissioner of Agriculture and Industries to provide insurance protection and coverage against accidents and

death for the benefit of employees of the Department of Agriculture and Industries engaged in work involving the inspection, grading, and weighing of agricultural products at shipping points, terminals, and receiving centers.

By Mr. Van Antwerp:

S. 274. For the relief of Mrs. Ruth S. Jordan of Tuscaloosa: Authorizing and directing that a payment of twenty-five hundred dollars from the funds of the State Highway Department be made to the said Ruth S. Jordan to compensate her for personal injuries sustained in an accident involving an automobile of the Highway Department in which she was riding as a passenger on or about December 4, 1952.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Oden et al (Without recommendation):

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins, Edwards (Escambia), Money and Meeks:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

By Messrs. Hawkin, et al:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

By Messrs. Hawkins, Edwards (Escambia) and Money:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Mr. Boutwell, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Yarbrough (Autauga):

S. 289. Relating to contracts; Authorizing safe deposit companies, banks and other corporations or persons engaged in the business of renting or leasing safe deposit boxes to limit by contract their liability in respect to such business.

Mr. Cantrell, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Kaul, et al:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

By Mr. Allen:

S. 294. Relating to counties having a population of not less than 47,000 nor more than 52,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Robison, Yarbrough (Autauga), Flowers, Skidmore, Lamberth, Moses, Yarbrough (Randolph), Boutwell, Cantrell, Grisham, Metcalf, Little, Engelhardt, Bradford, Allen, James, Goodwin, Roberts, Givhan, Tate, Shelton and Van Antwerp:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Robison, Flowers, Lamberth, Van Antwerp, Roberts, Leonard, Metcalf, James, Davis (Lowndes), Calvin, Tate, Givhan,

Engelhardt, Bradford, Davis (Pickens), Vann, Yarbrough (Autauga), Smith, Boutwell, Coleman and Reeves:

S. 302. Creating the Alabama Livestock Sanitary Board, and providing for the appointment, terms, compensation, powers, duties and authority of members of the board; fixing the jurisdiction of the Alabama Livestock Sanitary Board, and prescribing the powers and authority of the board; providing for the compensation, powers, duties, and authority of the state veterinarian; transferring all the powers, jurisdiction, duties and authority of the State Board of Agriculture and Industries, the Commissioner of Agriculture and Industries, and the State Department of Agriculture and Industries with respect to the supervision and control of the state veterinarian, and functions required by law to be performed by the state veterinarian, to the Alabama Livestock Sanitary Board; providing for the transfer of all records, supplies, equipment, materials, motor vehicles, and other property in the livestock sanitary division of the State Department of Agriculture and Industries, or designated for use by the state veterinarian, to the Alabama Livestock Sanitary Board; transferring certain personnel and funds from the State Department of Agriculture and Industries and the State Board of Agriculture and Industries to the Alabama Livestock Sanitary Board; and repealing conflicting laws.

By Messrs. Yarbrough (Autauga) and Metcalf:

S. 290. To amend Sections 658 and 663 of Title 2, Code of Alabama (1940), which relate to soil conservation districts.

Mr. Yarbrough (Autauga), Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McKay et al:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

Mr. Coleman, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 275. Relating to counties having a population of not less than 75,000 nor more than 130,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Flowers and Skidmore (with substitute):

S. 90. To regulate the business of operating cemeteries owned by an individual, association or corporation other than a religious or municipal association or corporation, or the State or Federal Government: Creating a State Cemetery Board, providing for the selection of its members, and prescribing its jurisdiction, powers, and duties; providing for the licensing of cemetery owners and their salesmen; providing for the regulation of cemeteries for the purpose of preventing fraudulent misrepresentations and improper dealings on the part of cemetery salesmen and organizations; requiring the owner of any cemetery to establish an endowment care fund in connection with the operation of such cemeteries; fixing penalties.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 280. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

By Mr. Van Antwerp:

S. 291. To create and establish in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court with concurrent jurisdiction with the probate court of matters relative to the adoption of orphans and original and exclusive jurisdiction of all other cases involving or growing out of family or domestic relations; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; making certain of its records relative to minors privileged and prescribing penalties for publication thereof; authorizing the establishment of a committee to aid and advise the court relative to juvenile problems arising in the court and abolishing all other courts in the county, except the probate court, having jurisdiction of juveniles and any advisory boards or commissions created to aid such abolished courts.

By Messrs. Coleman, Lamberth, Roberts, Calvin, Little, Bradford, Edkins, Flowers, Engelhardt, Shelton, Yarbrough (Autauga), Davis (Pickens) and Robison:

S. 301. To limit the authority of the board of control of the Teachers' Retirement System and of the secretary-treasurer in making investments of the trust funds of the System.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Newton (with substitute):

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 30. Said report of said Conference Committee being in words and figures as follows:

CONFERENCE COMMITTEE REPORT ON H. B. 30

Speaker of the House
President of the Senate

We, your Conference Committee appointed on the disagreement of the two Houses on the Senate amendment to H. B. 30, beg leave to report as follows:

1. We recommend that the Senate amendment to said bill be further amended by adding at the end of said Senate amendment the following paragraph.

"The Superintendent of Banks may also be removed from office, without cause, upon the written order of four appointed members of the Banking Board and the Governor."

2. We further recommend that the House and Senate concur in the Senate amendment to H. B. 30 as amended by Section 1 of this report.

Respectfully submitted,

George C. Hawkins

W. J. Lee, Jr.,

J. A. Crook

Committee on part of the House.

Dave L. Yarbrough

George E. Little

Jas. S. Coleman, Jr.,

Committee on part of the Senate.

The vote being: Yeas 82; Nays 0. And said bill:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

As amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 84; Nays 1.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Yarbrough (Autauga), the Senate concurred in and adopted the foregoing report of the Committee on Conference on

the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 30, the title of which and said Conference report are set out in the foregoing Message from the House.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Davis (<i>Pickens</i>)	Lamberth	Shelton
Boutwell	Dyar	Metcalf	Skidmore
Bradford	Eddins	Moses	Tate
Cantrell	Engelhardt	Newton	Vann
Coleman	Flowers	Reeves	Yarbrough (<i>Autauga</i>)
Cooper	Goodwin	Roberts	Yarbrough (<i>Randolph</i>)
Davis (<i>Lowndes</i>)	Grisham	Robison	

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And said Bill, as thus amended by the Conference report, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Davis (<i>Lowndes</i>)	Grisham	Robison
Allen	Davis (<i>Pickens</i>)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Eddins	Metcalf	Tate
Calvin	Engelhardt	Moses	Vann
Cantrell	Flowers	Newton	Yarbrough (<i>Autauga</i>)
Coleman	Goodwin	Roberts	Yarbrough (<i>Randolph</i>)
Cooper			

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Hawkins, Dawkins, Hall, Harrison, Gist, Speaks, Oden, Gregory, Hanby, Goodwyn, Nolen, Fite:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length, as required by the Constitution, and referred to appropriate Standing Committee as follows:

H. 617. To the Committee on Constitution and Constitutional Revision and Amendments.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Murphy, Simon and Tyson:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 742. To the Committee on Fish and Game.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Kendall, Dawkins, Brannan, Summerlin, Harrison, Stokes, Lee (Barbour), Fite and Goodwyn:

H. J. R. 56. WHEREAS the appropriations from the Alabama Special Educational Trust Fund contemplate little if any additional pay for the non-teaching and the non-supervisory and the non-administrative personnel of our educational systems and

WHEREAS it is impossible for the Legislature to earmark additional pay for these categories that are presently woefully underpaid and

WHEREAS the Legislature of Alabama contemplates a greatly expanded educational program with large new burdens on the taxpayers of Alabama

BE IT RESOLVED by the House, the Senate concurring, that the State Department of Education, all City and all County Boards of Education be notified that it is the express wish and intent of the Legislature of Alabama that the personnel affected by this Resolution be given a raise of at least 15 percent and more if funds are available.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the State Superintendent of Education and to all City and County Boards of Education.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 56, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker Pro Tem of the House having signed the following House Bill, your signature thereto is requested.

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

RESOLUTIONS

The Senate proceeded to further consideration of the Resolution:

H. J. R. 50. Relative to appointing an Interim Committee to be known as the Tax Study Committee.

And said Resolution was then adopted by the Senate.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Dyar	James	Moses
Allen	Engelhardt	Lamberth	Roberts
Boutwell	Flowers	Leonard	Robison
Bradford	Givhan	Little	Tate
Calvin	Goodwin	Metcalf	Vann
Cantrell	Grisham		

—21

Nays:

Messrs.:	Davis (Lowndes)	Reeves	Yarbrough (Autauga)
Coleman	Davis (Pickens)	Skidmore	Yarbrough (Randolph)
Cooper	Jones		

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ORDER TO PRINT

On motion of Mr. Roberts, 500 copies of the Bill, S. B. 280, were ordered printed for the use of the Senate.

RESOLUTIONS

Mr. Cantrell offered the following Senate Joint Resolution, to-wit:

S. J. R. 55. BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, August 2, 1955. When the two houses adjourn Tuesday, August 2, they adjourn to meet again Tuesday, August 9, 1955.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two houses adjourn today, they adjourn to meet again Tuesday, August 2, 1955.

And the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 397, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor relative to House Bill No. 397.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary

July 29, 1955

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 397, with a suggested executive amendment, as follows:

Amend said House Bill No. 397 by striking therefrom Section 5 in its entirety and substituting in lieu thereof Section 5 to read as follows:

"Section 5. This Act shall become effective on the first day of the second month after its passage and approval by the Governor."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 397, by a vote of Yeas 85, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

As amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote

of Yeas 83, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Cantrell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 397, the title of which and said executive amendment are set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Metcalf	Tate
Allen	Goodwin	Moses	Van Antwerp
Boutwell	Grisham	Robison	Vann
Bradford	James	Shelton	Yarbrough (Autauga)
Calvin	Jones	Skidmore	Yarbrough (Randolph)
Cantrell	Little		

—21

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Metcalf	Tate
Allen	Goodwin	Moses	Van Antwerp
Boutwell	Grisham	Robison	Vann
Bradford	James	Shelton	Yarbrough (Autauga)
Calvin	Jones	Skidmore	Yarbrough (Randolph)
Cantrell	Little		

—21

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 33. Said report of said Conference Committee being in words and figures as follows:

To The Speaker of The House

To The President of The Senate

We, your conference committee appointed on the disagreement of the House and Senate on the Senate Amendment to House Bill No. 33 beg leave to report as follows:

1. That the House concur in the Senate Amendment to said House Bill.

2. That said House Bill No. 33 be further amended, by striking the words and figures three million dollars (\$3,000,000.00) where same appear in the caption and body of said bill and substituting therefor the words and figures four million dollars (\$4,000,000.00) in the caption and body of said bill.

V. H. Robison
 Geo. Van Antwerp
 Albert Boutwell
 Conferees on the part of the Senate
 Joe M. Dawkins
 Charles T. Mathers
 G. B. Mathison, Sr.
 Conferees on the part of the House

And said bill:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
 Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Robinson, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 33, the title of which and said Conference report are set out in the foregoing Message from the House.

Yeas 30; Nays 0.

Yeas:

Messrs.:
 Bradford

Calvin
 Cantrell

Coleman
 Cooper

Davis (Pickens)
 Dyar

Eddins	James	Newton	Tate
Engelhardt	Jones	Reeves	Van Antwerp
Flowers	Lamberth	Roberts	Vann
Givhan	Leonard	Robison	Yarbrough (Autauga)
Goodwin	Little	Shelton	Yarbrough (Randolph)
Grisham	Moses	Skidmore	

—30

And said Bill, as thus amended by the report of the Committee on Conference, was again read at length and passed.

Yeas; 32 Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Boutwell	Eddins	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S.J.R. 56. Relative to adjournment of the two Houses.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 191. To amend Section 1 of Act No. 86, approved June, 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Robison
Cantrell	Flowers	Moses	Shelton
Davis (Lowndes)	Givhan	Newton	Skidmore
Davis (Pickens)	Lamberth	Reeves	Tate
Dyar	Leonard	Roberts	Van Antwerp
Eddins	Little		

—21

The Bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Reeves
Allen	Dyar	Lamberth	Roberts
Cantrell	Eddins	Leonard	Tate
Coleman	Engelhardt	Moses	Yarbrough (Autauga)
Cooper	Flowers	Newton	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Also:

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

Also:

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the County and allowance for Clerk hire.

Also:

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S.J.R. 57. WHEREAS, by Act No. 786 of the 1951 Legislature, 1951 General Acts of Alabama, page 1384, the Legislature made it unlawful for any person to take, catch, stun, or kill or attempt to take, catch, stun or kill any game or non-game fish by means of any electrical device or instrument capable of stunning or killing fish, which instrument or device is not expressly allowed by law, and

WHEREAS, many fishermen in the State of Alabama believe that the use of such electrical devices are not harmful to the fishing industry and do not deplete the streams of Alabama of fish, and

WHEREAS, research is being conducted by the Biologists of the Department of Conservation of the State of Alabama to ascertain the affects of the use of such electrical devices in the taking or catching of fish from the public waters of this State.

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House concurring, that a Joint Committee be appointed by the President of the Senate and the Speaker of the House of Representatives, comprising two members of the Senate and three members of the House, to correlate the results of this biological study and report its findings to the Legislature of Alabama when it next convenes in Regular Session for the purpose of the passage of laws consistent with the findings of the biological research on said matter.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

The President and Presiding Officer appointed as Committee on part of the Senate Messrs. Cooper and Davis (Lowndes).

BILLS ON THIRD READING RESUMED

The Bill:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Little	Shelton
Allen	Dyar	Metcalf	Skidmore
Boutwell	Eddins	Moses	Tate
Bradford	Engelhardt	Newton	Van Antwerp
Calvin	Flowers	Reeves	Vann
Cantrell	Givhan		

—21

The Bill:

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Newton	Skidmore
Allen	Goodwin	Reeves	Tate
Boutwell	Grisham	Roberts	Van Antwerp
Calvin	James	Robison	Yarbrough (Autauga)
Cantrell	Metcalf	Shelton	Yarbrough (Randolph)
Dyar	Moses		

—21

The Bill:

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscumbia, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Jones	Moses
Allen	Dyar	Lamberth	Newton
Boutwell	Eddins	Leonard	Shelton
Bradford	Engelhardt	Little	Yarbrough (Autauga)
Calvin	Flowers	Metcalf	Yarbrough (Randolph)
Cantrell	James		

—21

The Bill:

H. 697. To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Reeves	Tate
Calvin	Grisham	Roberts	Van Antwerp
Davis (Lowndes)	James	Robison	Vann
Davis (Pickens)	Jones	Shelton	Yarbrough (Autauga)
Flowers	Moses	Skidmore	Yarbrough (Randolph)
Givhan	Newton		

—21

The Bill:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Shelton
Allen	Dyar	Little	Skidmore
Bradford	Engelhardt	Metcalf	Tate
Calvin	Givhan	Moses	Vann
Cooper	Goodwin	Reeves	Yarbrough (Randolph)
Coleman	James		

—21

The Bill:

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Little	Skidmore
Bradford	Eddins	Moses	Tate
Calvin	Flowers	Newton	Vann
Cooper	Givhan	Robison	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Calvin	Flowers	Little	Tate
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 262

Strike out the words "thirty days after the date of its enactment" appearing in Section 11 of the bill and insert in lieu thereof the words "forty-five days after the date of its enactment."

Also, strike out the last three sentences in Section 11 and insert the following in lieu thereof:

If a majority of the votes are "yes," the provisions of this Act shall become effective on the tenth day following the date of such election; and the Court of County Commissioners provided for in this Act shall be established as of such day. If a majority of the votes are "no," this Act shall have no further effect. The results of the election shall be certified by the judge of probate to the Secretary of State within thirty days from the date of the election, and the Secretary of State shall make a permanent record thereof.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Shelton
Boutwell	Flowers	Moses	Tate
Calvin	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Little		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Shelton
Boutwell	Flowers	Moses	Tate
Calvin	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Little		

—21

The Bill:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 657

Amend Section 2 of the bill by adding thereto the following:

"No more than one member of the board shall be a resident of the city of Oneonta."

Also, strike out Section 4 and substitute the following:

"Section 4. The board shall establish and maintain a shop or garage at some central location in the county for the repair and maintenance of all the school buses owned by the county, such location to be selected at the discretion of the board; and such shop shall be under the supervision of the county superintendent of education."

Also, strike out the sentence appearing in Section 5 which reads as follows: "At the election the question of whether the respective schools in Blount County shall operate for a term of consecutive months or be split shall be submitted to a vote of the electors of the several school districts of the county." Insert in lieu thereof the following sentence: "At the election the question of whether the respective schools in Blount County shall operate for a term of consecutive months or be split shall be submitted to a vote of the electors residing in the several high school attendance districts of the county as prescribed by the board."

Also, strike out the words "public school district" appearing in Section 5 of the bill and insert in lieu thereof the words, "high school attendance district."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Skidmore
Allen	Flowers	Metcalf	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Coleman	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Skidmore
Allen	Flowers	Metcalf	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Coleman	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be

open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in Winston County Court.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 101

Strike out the words and figures "four thousand eight hundred dollars (\$4,800) per annum" appearing in Section 5 and insert in lieu thereof the words and figures "four thousand dollars (\$4,000) per annum."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Allen	Engelhardt	Little	Tate
Bradford	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Allen	Engelhardt	Little	Tate
Bradford	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

MOTION TO RECONSIDER

On motion of Mr. Cooper, the Senate reconsidered the vote by which it passed the Bill, H.B. 473.

And said Bill was again read at length and passed.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Cooper	Goodwin	Tate
Boutwell	Davis (Lowndes)	James	Vann
Bradford	Davis (Pickens)	Jones	Yarbrough (Autauga)
Calvin	Eddins	Reeves	Yarbrough (Randolph)
Coleman	Engelhardt		

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Nays:

Messrs.:
Allen
Cantrell

Flowers
Grisham
Lamberth

Leonard
Metcalf

Roberts
Skidmore

—9

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Killough and Taylor:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Also:

By Messrs. Brown (Lee) and Ward:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Also:

By Mr. Cox:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of County Commissioners for Marshall County created by Act No. 89, Local Acts of Alabama, Extra Session, 1936, page 49, as amended, is abolished; and there is created in lieu thereof the Board of Revenue and Control of Marshall County, to be composed of the judge of probate of Marshall County as member and chairman of the board and four associate members.

Section 2. At the general election to be held in 1958, and every four years thereafter, one associate member of the board shall be elected

by the qualified electors of each of the districts established by Section 3 of this Act. Each associate member of the board must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Associate members of the board shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified. In the event of a vacancy on the board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The associate members of the Court of County Commissioners elected at the general election in 1954 shall serve as members of the Board of Revenue and Control until their successors are elected and qualified as provided in this Act.

Section 3. For purposes of electing the associate members of the board, as provided in Section 2 hereof, Marshall County is divided into the following districts: District No. 1, shall be composed of the territory included within the present boundaries of precincts 1, 12, 14, 15, 21, 25, 26, 27, and 29; District No. 2 shall be composed of the territory included within the present boundaries of precincts 7, 8, 9, 10, 11, 19, 23, and 30; District No. 3 shall be composed of the territory included within the present boundaries of precincts 2, 3, 4, 13, 16, 22, and 28; District No. 4 shall be composed of the territory included within the present boundaries of precincts 5, 6, 17, 18, 20, and 24.

Section 4. The judge of probate shall have a vote on all questions coming before the board, shall be its presiding officer, shall sign the minutes of the proceedings of the board, and shall have the same power and authority as the other members in passing on all questions before the board. He shall sign and draw all warrants drawn on the county depositories, and all orders for the payment and disbursement of the funds of the county, and shall sign all contracts entered into by the Board of Revenue and Control for and on behalf of the county. The judge of probate shall prepare business and obtain information for the sessions of the board, see that all orders thereof are properly issued, and exercise all the powers and perform all the duties required by judges of probate as to matters coming before the courts of county commissioners.

Section 5. Except as otherwise provided in this Act, the Board of Revenue and Control shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners or other like county governing bodies by the general laws of the State, or vested in the governing body of Marshall County by local law; and the members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by law for members of courts of county commissioners or other like county governing bodies, or for members of the governing body of Marshall County. The chairman of the board may appoint a chief clerk to the board. The board may appoint as many assistant clerks as are necessary for the convenient and orderly transaction of its business, and fix the salaries and terms of employment of the chief clerk and the assistant clerks.

Section 6. Each member of the board shall devote his entire time to the duties of his office, and shall attend the meetings of the board, which shall hold its session on the third Monday of each month and may continue in session as long as may be necessary to conduct the business of the county. The board may adjourn its meetings to any day which it may desire, and may hold special sessions at any time upon the call of the chairman. Three members of the board shall constitute a quorum for the transaction of business.

Section 7. As full compensation for the services required of them by this Act, the associate members of the board shall receive a salary of three hundred dollars (\$300.00) per month, payable monthly out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or of the gasoline or motor fuels tax monies appropriated to the county. It is provided, however, that each associate member of the board shall be furnished, at the expense of the county, a pickup truck or other suitable conveyance to be used by such members in carrying out their duties of office. As compensation for the services required of him by this Act, the judge of probate shall be paid a salary of one hundred dollars (\$100.00) per month, payable monthly, out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or out of the gasoline or motor fuels tax monies appropriated to the county, which shall be in full of all compensation to be paid to him for such services.

Section 8. Farm-to-market roads within the county shall be constructed and maintained by the board. The board may employ, and when necessary terminate the employment of, an engineer and such assistants as are necessary properly to construct, repair, and maintain the farm-to-market roads. Other county roads and bridges shall be constructed, repaired, and maintained by the board on a district basis. Each associate member of the board shall serve as supervisor of roads within his district, and may employ, supervise, direct, and when necessary terminate the employment of, such assistants and labor as are necessary properly to construct, repair, and maintain such other county roads and bridges within his district. All county purchases shall be made by the board functioning as a board, except that in cases of emergency each associate member shall be allowed to purchase necessary parts, equipment, and other supplies in an amount not to exceed three hundred dollars (\$300). Purchase orders for such emergency purchases may be issued after the purchases are made. It is provided, however, that all purchases of major pieces of equipment, such as trucks, patrols, and tractors, shall be made by the board as a whole.

Section 9. All laws or parts of laws in conflict with the provisions of this Act are repealed. Act No. 89, Local Acts of Alabama, Extra Session, 1936, page 49, as amended by Act No. 394, Acts of Alabama, Regular Session, 1953, page 468, and Act No. 146, Local Acts of Alabama, Regular Session, 1947, page 85, as amended by Act No. 76, Acts of Alabama, Regular Session, 1951, page 291, are expressly repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-16-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. J. Benford, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Albertville Herald, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1955.

J. J. BENFORD

Sworn to and subscribed before me July 18, 1955.

J. A. McGEE,
Notary public.

Notary Public, Marshall County, Alabama

My commission expires Dec. 28, 1955

Bonded by The Employers Liability Assurance Corporation

Also:

By Mr. Harrison:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Mr. Harrison:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

By Messrs. Callahan and deGraffenried:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

With notice and proof thereto attached and herewith exhibited as follows:

A Bill substantially like the following form will be proposed in the current session of the Legislature of Alabama for passage.

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, co-partnerships, companies, agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and-or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Senate Bill No. 396, passed by the 1935 Legislature of Alabama, approved September 9, 1935, be amended to read as follows:

"Section 1. That the Board of Revenue of Tuscaloosa County, Alabama, may, for the purpose of constructing and maintaining public roads, streets, bridges, and ferries in Tuscaloosa County, Alabama, levy and collect a privilege tax of not more than one cent per gallon on all gasoline, naptha, and other liquid motor fuels or any device or substitutes therefor, commonly used in internal combustion engines; provided, however, that nothing contained herein shall be held to apply to those products known commercially as 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, sold or delivered in said County, for the privilege of selling or delivering same," and further provided, however, that the provisions of this Section shall not apply to the Tuscaloosa County Board of Education, and that agency is hereby exempt from the payment of said privilege tax.

Section 2. This act shall become effective immediately upon its passage and approval by the government.

June 18-25; July 2-9-4TC.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF TUSCALOOSA**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa, County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1955.

BUFORD BOONE.

Sworn to and subscribed before me July 11, 1955.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. Hanby and Hawkins:

H. 749. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; to authorize such municipalities to declare weeds growing upon vacant property within the corporate limits thereof to be a public nuisance and to remove them or cause them to be removed; prescribing a procedure therefor; and creating a lien upon such property for the cost of removing the weeds.

Also:

By Mr. Davis:

H. 294. To Amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Also:

By Messrs. Callahan and deGraffenried:

H. 734. To amend Section 184 of Title 13 of the Code of Alabama of 1940 (pertaining to Writs of Certiorari).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 745 and 754. To the Committee on Constitution and Constitutional Revision and Amendments.

(The above Bills, H. B.'s 745 and 754, were read at length as required by the Constitution.)

H. B.'s 756, 759, 760, 761 and 749. To the Committee on Local Legislation.

H. B.'s 294 and 734. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dawkins, Hall, and Goodwyn:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Also:

By Mr. Hawkins:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 300. To the Committee on Education.

H. B. 665. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

Was taken up.

Mr. Van Antwerp offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 292

A BILL TO BE ENTITLED AN ACT

To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any

subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The coroner in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, may have as an assistant, a person learned in medicine and surgery and duly licensed to practice medicine in Alabama, who shall be known as the coroner's pathologist. The coroner's pathologist shall be appointed by the coroner to serve permanently or from time to time as the coroner may deem necessary and shall receive such compensation as the coroner shall fix, not to exceed one hundred twenty-five dollars (\$125) per month, which compensation shall be paid in the same manner as the coroner is paid out of the general fund of the county treasury.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Little	Skidmore
Bradford	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers	Moses	Yarbrough (Autauga)
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Cooper	Grisham		

—21

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Little	Skidmore
Bradford	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers	Moses	Yarbrough (Autauga)
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 140. To define the power, authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Little	Shelton
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Newton	Vann
Cooper	Goodwin	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Little	Shelton
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Newton	Vann
Cooper	Goodwin	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Tate
Calvin	Givhan	Newton	Yarbrough (Autauga)
Cantrell	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Leonard	Skidmore
Bradford	Engelhardt	Metcalf	Tate
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	James		

—21

The Bill:

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Bradford	Engelhardt	Little	Shelton
Calvin	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	James	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Allen	Engelhardt	Little	Tate
Boutwell	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Coleman	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Cooper	Dyar
Boutwell	Cantrell	Davis (Lowndes)	Flowers

Givhan	Leonard	Robison	Van Antwerp
Goodwin	Metcalf	Skidmore	Vann
James	Moses	Tate	Yarbrough (Randolph)
Jones	Newton		

—21

The Bill:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Bradford	Eddins	Leonard	Skidmore
Calvin	Engelhardt	Little	Tate
Cantrell	Flowers	Moses	Vann
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 740. To alter and extend the boundaries of the City of Mountain Brook.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Boutwell	Eddins	Metcalf	Skidmore
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 456. To make an appropriation in the amount of \$2,000, or so much thereof as may be necessary, to the Department of Industrial Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Cantrell	Dyar	Goodwin
Allen	Coleman	Eddins	Grisham
Boutwell	Cooper	Engelhardt	James
Bradford	Davis (Lowndes)	Flowers	Jones
Calvin	Davis (Pickens)	Givhan	Lamberth

Leonard	Newton	Shelton	Vann
Little	Reeves	Skidmore	Yarbrough (Autauga)
Metcalf	Roberts	Tate	Yarbrough (Randolph)
Moses	Robison	Van Antwerp	

—34

MOTION TO ADJOURN LOST

At 12:35 P.M., Mr. Shelton moved that the Senate do now adjourn until Tuesday, August 2, 1955, at 12 o'clock Noon, which motion was lost.

Yeas 11; Nays 22.

Yeas:

Messrs.:	Givhan	Little	Skidmore
Davis (Pickens)	James	Robison	Yarbrough (Autauga)
Eddins	Jones	Shelton	Yarbrough (Randolph)

—11

Nays:

Messrs.:	Coleman	Goodwin	Reeves
Allen	Cooper	Grisham	Roberts
Boutwell	Davis (Lowndes)	Lamberth	Tate
Bradford	Dyar	Leonard	Van Antwerp
Calvin	Engelhardt	Moses	Vann
Cantrell	Flowers	Newton	

—22

BILLS ON THIRD READING RESUMED

The Bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

Was taken up.

Mr. Tate offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. NO. 98

Strike from Section 1 of said bill the following words where the same appear:

"No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State, in which fresh water fish appear, by angling with a hook and line without first procuring a fishing license and paying therefor the sum of one dollar. Any resident who procures a rod and reel license, however, shall be entitled to fish with a hook and line without the necessity of procuring an additional license." and also:

Strike from Section 1 of said bill the fifth paragraph thereof, which begins with the words:

"The license required by this Section shall not apply," etc.

On motion of Mr. Cantrell, said amendment was laid on the table.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Boutwell	Cantrell	Davis (Lowndes)
Allen	Bradford	Cooper	Davis (Pickens)

Dyar	Goodwin	Leonard	Roberts
Eddins	Grisham	Metcalf	Robison
Engelhardt	James	Newton	Van Antwerp
Flowers	Jones	Reeves	Vann

—23

Nays:

Messrs.:	Givhan	Shelton	Yarbrough (Autauga)
Calvin	Little	Skidmore	Yarbrough (Randolph)
Coleman	Moses	Tate	

—10

Mr. Tate then offered the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 98

Add at the end of Section 1 of the bill the following:

The provisions of this section requiring persons to procure a license to fish with an ordinary hook and line shall not apply to or in any county of this State having a population of less than 15,000 inhabitants, according to the last or any subsequent federal decennial census.

On motion of Mr. Cantrell, said amendment was laid on the table.

Yeas 25; Nays 8.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Robison
Allen	Dyar	Metcalf	Shelton
Boutwell	Flowers	Moses	Van Antwerp
Bradford	Goodwin	Newton	Vann
Calvin	Grisham	Reeves	Yarbrough (Autauga)
Cantrell	James	Roberts	Yarbrough (Randolph)
Cooper	Jones		

—25

Nays:

Messrs.:	Eddins	Givhan	Skidmore
Coleman	Engelhardt	Little	Tate
Davis (Pickens)			

—8

Mr. Coleman offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 98

Amend first sentence of Section 1 of House Bill 98 to read as follows:

Section 1. That Section 38 of Title 8, Code of Alabama, 1940, be and the same is hereby amended so as to read as follows:

No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill in any waters of this state, in which fresh water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring a fishing license and paying therefor the sum of one dollar.

Mr. Cantrell moved that said amendment be laid on the table, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Dyar	Jones	Newton
Allen	Flowers	Leonard	Roberts
Bradford	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Moses	Vann
Davis (Lowndes)			

—16

Nays:

Messrs.:	Davis (Pickens)	Little	Skidmore
Boutwell	Eddins	Reeves	Tate
Calvin	Engelhardt	Robison	Yarbrough (Autauga)
Coleman	Givhan	Shelton	Yarbrough (Randolph)
Cooper	James		

—17

And said amendment to the Bill was then adopted.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Davis (Pickens)	Little	Skidmore
Boutwell	Eddins	Reeves	Tate
Calvin	Engelhardt	Robison	Yarbrough (Autauga)
Coleman	Givhan	Shelton	Yarbrough (Randolph)
Cooper	James		

—17

Nays:

Messrs.:	Dyar	Jones	Newton
Allen	Flowers	Leonard	Roberts
Bradford	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Moses	Vann
Davis (Lowndes)			

—16

Mr. Calvin then offered the following amendment to the Bill, as amended, to-wit:

Amend House Bill 98 by striking "one mile" appearing in the sixth paragraph of Section 38 therein and by inserting in lieu thereof the following words "twenty five miles".

On motion of Mr. Cantrell, said amendment was laid on the table.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Davis (Pickens)	Grisham	Moses
Allen	Dyar	James	Newton
Boutwell	Eddins	Jones	Reeves
Bradford	Engelhardt	Leonard	Roberts
Cantrell	Flowers	Little	Van Antwerp
Cooper	Goodwin	Metcalf	Vann
Davis (Lowndes)			

—24

Nays:

Messrs.:	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Robison	Tate	Yarbrough (Randolph)
Coleman			

—8

Mr. Calvin then offered the following amendment to the Bill, as amended, to-wit:

Amend House Bill 98 by striking "one mile" appearing in the sixth paragraph of Section 38 therein and by inserting in lieu thereof the following words "five miles".

On motion of Mr. Cantrell, said amendment was laid on the table.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Moses
Allen	Davis (Pickens)	James	Newton
Boutwell	Eddins	Jones	Roberts
Bradford	Engelhardt	Leonard	Van Antwerp
Cantrell	Flowers	Little	Vann
Cooper	Goodwin	Metcalf	

—22

Nays:

Messrs.:	Dyar	Robison	Tate
Calvin	Givhan	Shelton	Yarbrough (Autauga)
Coleman	Reeves	Skidmore	Yarbrough (Randolph)

—11

Mr. Robison offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 98

Amend Section 1 of said bill by striking the words "in which fresh water fish appear" wherever same appear in said section.

MOTION TO ADJOURN LOST

At 1:05 P.M., Mr. Davis (Pickens) moved that the Senate do now adjourn until Tuesday, August 2, 1955, at 12 o'clock Noon, which motion was lost.

Yeas 16; Nays 18.

Yeas:

Messrs.:	Dyar	Goodwin	Skidmore
Boutwell	Eddins	James	Vann
Calvin	Engelhardt	Jones	Yarbrough (Autauga)
Coleman	Givhan	Shelton	Yarbrough (Randolph)
Davis (Pickens)			

—16

Nays:

Messrs.:	Davis (Lowndes)	Little	Roberts
Allen	Flowers	Metcalf	Robison
Bradford	Grisham	Moses	Tate
Cantrell	Lamberth	Newton	Van Antwerp
Cooper	Leonard	Reeves	

—18

FURTHER CONSIDERATION OF H. B. 98

Mr. Tate moved that further consideration of the Bill, as amended, and pending amendment, be postponed until the Twenty-Eighth Legislative Day. On motion of Mr. Cantrell, said motion was laid on the table.

Yeas 21; Nays 12.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Newton
Allen	Dyar	Leonard	Reeves
Boutwell	Flowers	Little	Roberts
Bradford	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Moses	Vann
Cooper	James		

—21

Nays:

Messrs.:	Eddins	Robison	Tate
Calvin	Engelhardt	Shelton	Yarbrough (Autauga)
Coleman	Givhan	Skidmore	Yarbrough (Randolph)
Davis (Pickens)			

—12

COMMUNICATION

The following communication was received from the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

s/O. H. FINNEY, JR.
O. H. FINNEY, JR.,
Executive Secretary

JULY 26, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

The sovereign people of Alabama have placed great powers not only in the hands of the General Assembly, our Legislature, but also in the hands of the Chief Executive in order that the interests of the general public may be furthered, the laws enforced, and the individual dignity of the person protected.

There now exists a situation in which an individual, a member of this Body, has been, in my opinion, unfairly prosecuted by an archaic body within our economic structure, in which procedure no trial was granted to this legislator before a body of his peers, which is one of the basic principles of Democracy.

Moreover, there is evidence that the powers vested in the Executive branch of this government were used under circumstances in this case indicative of political retaliation, and funds of the taxpayers were expended in furtherance thereof.

You now have an opportunity to remedy this wrong, and I call upon you as a Democrat, as your Governor, and as a firm believer in

fairness and in Democratic principles, to take such action as will guarantee Senator Reuben Newton a fair trial by a jury before his life is wrecked by the serious charges considered only in a star chamber body reminiscent of the middle ages. As long as I was Governor during my first administration, I never used any private detective agency to snoop on the people of Alabama. You may be assured that as long as I am Governor, the powers of my office, which is the peoples office, will never be used as evidence indicates it has been used in the past in this particular case. You will recall that in my inauguration address I went on record against hired snoopers and stoopers. My principles have not changed and I call upon you to take constructive action in this regard.

Respectfully,

s/ James E. Folsom

JAMES E. FOLSOM
Governor

Copy

BODEKER NATIONAL DETECTIVE AGENCY

Fred J. Bodeker, Manager
(Reliable, Efficient and Experienced)
(Operating in Birmingham since 1914)
206-7 Frank Nelson Building
Birmingham, 3, Ala.

Representatives and
Offices in all Principal cities

Telephone 3-2517

May 25, 1953

Governor Gordon Persons,
Montgomery, Ala.

Dear Governor:—

I am enclosing bill for services and expenses for the investigation in Walker County. I have billed the State Bar Association for \$666.00, which is one-third of \$2,000.00 additional amount authorized through Mr. John Scott, leaving a difference there of \$1335.00. The original amount authorized of \$1500.00 added to that makes the total of \$2834.00.

At Mr. Fite's direction, I sent Mr. Scott a bill for the full amount but he called me this afternoon and instructed me to bill the State Bar for their part, and mail you bill for difference. I told Mr. Fite that I would be glad to go over the reports with you if desired.

Thanking you, I am,

Yours very truly,

(Signed) Fred J. Bodeker
Manager

FJB/f

STATE OF ALABAMA
Executive Office
Montgomery

James E. Folsom
Governor

July 29, 1955

TO WHOM IT MAY CONCERN:

This is to state that in connection with the attached letter to Gordon Persons from Bodeker National Detective Agency, said agency was paid the amount of \$2834.00 on September 4, 1953, for "Services and Expenses for investigation in Walker County, case No. 53117", said warrant being T-87667 signed by Gordon Persons.

s/ James E. Folsom
JAMES E. FOLSOM

JEF:s

FURTHER CONSIDERATION OF H. B. 98

The question then recurred on the amendment offered by Mr. Robison to the Bill, H.B. 98, as amended, and said amendment was then adopted.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Davis (Pickens)	James	Reeves
Allen	Dyar	Jones	Roberts
Boutwell	Eddins	Leonard	Robison
Bradford	Engelhardt	Little	Skidmore
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—29

Nays:

Messrs. Cooper and Van Antwerp

—2

Mr. Tate then offered the following amendment to the Bill, as amended, to-wit:

Amend H.B. 98 by striking "one mile" where it appears in paragraph 6 of Section 38 and substituting in lieu thereof "an adjoining county".

On motion of Mr. Cantrell, said amendment was laid on the table.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Reeves
Allen	Dyar	James	Roberts
Boutwell	Eddins	Leonard	Robison
Bradford	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers	Moses	Vann
Cooper	Goodwin	Newton	

—22

Nays:

Messrs.:	Davis (Pickens)	Skidmore	Yarbrough (Autauga)
Calvin	Givhan	Tate	Yarbrough (Randolph)
Coleman	Jones		

—9

And said Bill, as thus amended, was then read a third time at length.

MOTION TO ADJOURN LOST

At 1:45 P.M., Mr. Davis (Pickens) moved that the Senate do now adjourn until Tuesday, August 2, 1955, at 12 o'clock Noon, which motion was lost.

Yeas 16; Nays 18.

Yeas:

Messrs.:	Eddins	Reeves	Tate
Boutwell	Engelhardt	Robison	Vann
Calvin	Givhan	Shelton	Yarbrough (Autauga)
Davis (Pickens)	Newton	Skidmore	Yarbrough (Randolph)
Dyar			

—16

Nays:

Messrs.:	Cooper	James	Metcalf
Allen	Davis (Lowndes)	Jones	Moses
Bradford	Flowers	Lamberth	Roberts
Cantrell	Goodwin	Leonard	Van Antwerp
Coleman	Grisham	Little	

—18

MOTION TO POSTPONE H. B. 98 TO DAY CERTAIN LOST

Mr. Engelhardt then moved that further consideration of the Bill, H.B. 98, as amended, be postponed until the next Legislative Day. On motion of Mr. Van Antwerp, the motion to postpone was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Newton
Allen	Dyar	Leonard	Reeves
Bradford	Flowers	Little	Roberts
Cantrell	Goodwin	Metcalf	Van Antwerp
Cooper	Grisham	Moses	

—18

Nays:

Messrs.:	Davis (Pickens)	James	Tate
Boutwell	Eddins	Robison	Yarbrough (Autauga)
Calvin	Engelhardt	Shelton	Yarbrough (Randolph)
Coleman	Givhan	Skidmore	

—14

And said Bill, H.B. 98, as amended, was then passed.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Davis (Pickens)	James	Reeves
Boutwell	Eddins	Jones	Roberts
Bradford	Engelhardt	Leonard	Robison
Cantrell	Flowers	Metcalf	Van Antwerp
Cooper	Goodwin	Moses	Vann
Davis (Lowndes)	Grisham	Newton	Yarbrough (Randolph)

—23

Nays:

Messrs.:
Calvin
Coleman

Givhan
Little

Shelton
Skidmore

Tate
Yarbrough (Autauga)

—8

Mr. Coleman moved that the Secretary be instructed to hold House Bill 98 until 1 o'clock P.M. on the next Legislative Day, which was adopted.

REPORT OF SECRETARY**Mr. President:**

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and Secretary of State, with the date and hour of delivery, to-wit:

- S. J. R. 3. Delivered to the Governor, May 10, 1955, at 11:20 A.M.
- S. J. R. 6. Delivered to the Governor, May 13, 1955, at 10:25 A.M.
- S. J. R. 7. Delivered to the Governor, May 17, 1955, at 11:25 A.M.
- S. J. R. 9. Delivered to the Governor, May 27, 1955, at 12:30 P.M.
- S. B. 24. Delivered to the Governor, May 27, 1955, at 12:30 P.M.
- S. B. 36. Delivered to the Governor, May 27, 1955, at 12:30 P.M.
- S. B. 48. Delivered to the Governor, May 31, 1955, at 3:55 P.M.
- S. B. 49. Delivered to the Governor, May 31, 1955, at 3:55 P.M.
- S. B. 71. Delivered to the Secretary of State, June 6, 1955, at 10:15 A.M.
- S. B. 50. Delivered to the Governor, June 7, 1955, at 11:20 A.M.
- S. B. 65. Delivered to the Governor, June 7, 1955, at 11:20 A.M.
- S. B. 100. Delivered to the Governor, June 7, 1955, at 3:20 P.M.
- S. B. 101. Delivered to the Governor, June 7, 1955, at 3:20 P.M.
- S. J. R. 16. Delivered to the Governor, June 7, 1955, at 3:20 P.M.
- S. B. 93. Delivered to the Governor, June 10, 1955, at 10:10 A.M.
- S.J.R. 20. Delivered to the Governor, June 10, 1955, at 11:50 A.M.
- S.B. 63. Delivered to the Governor, June 14, 1955, at 11:15 A.M.
- S. B. 77. Delivered to the Governor, June 14, 1955, at 11:15 A.M.
- S. B. 89. Delivered to the Governor, June 14, 1955, at 3:15 P.M.
- S. B. 97. Delivered to the Governor, June 14, 1955, at 3:15 P.M.
- S. B. 123. Delivered to the Governor, June 14, 1955, at 3:15 P.M.
- S. J. R. 23. Delivered to the Governor, June 17, 1955, at 10:30 A.M.

- S. B. 114. Delivered to the Governor, June 21, 1955, at 2:55 P.M.
S. B. 143. Delivered to the Governor, June 21, 1955, at 2:55 P.M.
S. J. R. 27. Delivered to the Governor, June 21, 1955, at 4:22 P.M.
S. J. R. 28. Delivered to the Governor, June 21, 1955, at 4:22 P.M.
S. J. R. 26. Delivered to the Governor, June 24, 1955, at 10:20 A.M.
S. J. R. 17. Delivered to the Governor, June 28, 1955, at 11:12 A.M.
S. J. R. 31. Delivered to the Governor, June 28, 1955, at 11:12 A.M.
S. B. 148. Delivered to the Governor, June 28, 1955, at 12:25 P.M.
S. B. 150. Delivered to the Governor, June 28, 1955, at 12:25 P.M.
S. B. 152. Delivered to the Governor, June 28, 1955, at 12:25 P.M.
S. B. 112. Delivered to the Governor, July 1, 1955, at 10:15 A.M.
S. J. R. 35. Delivered to the Governor, July 1, 1955, at 10:15 A.M.
S. B. 155. Delivered to the Governor, July 6, 1955, at 12:10 P.M.
S. B. 174. Delivered to the Governor, July 6, 1955, at 12:10 P.M.
S. J. R. 39. Delivered to the Governor, July 8, 1955, at 11:50 A.M.
S. J. R. 41. Delivered to the Governor, July 8, 1955, at 11:50 A.M.
S. B. 9. Delivered to the Governor, July 8, 1955, at 11:50 A.M.
S. B. 157. Delivered to the Secretary of State, July 8, 1955, at 11:48 A.M.
S. B. 112. Delivered to the Governor, July 12, 1955, at 12:20 P.M.
S. B. 184. Delivered to the Governor, July 12, 1955, at 3:10 P.M.
S. B. 185. Delivered to the Governor, July 12, 1955, at 3:10 P.M.
S. B. 186. Delivered to the Governor, July 12, 1955, at 3:10 P.M.
S. B. 198. Delivered to the Governor, July 12, 1955, at 3:10 P.M.
S. J. R. 42. Delivered to the Governor, July 15, 1955, at 10:25 A.M.
S. B. 95. Delivered to the Governor, July 19, 1955, at 3:03 P.M.
S. B. 102. Delivered to the Governor, July 26, 1955, at 2:30 P.M.
S. B. 103. Delivered to the Governor, July 26, 1955, at 2:30 P.M.
S. J. R. 52. Delivered to the Governor, July 29, 1955, at 10:20 A.M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

BILL ON THIRD READING

The Bill:

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Was taken up.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

ADJOURNMENT

At 2 o'clock P.M., on motion of Mr. Coleman, pending further consideration of H.B. 110, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 2, 1955, at 12 o'clock Noon.

TWENTY-SEVENTH LEGISLATIVE DAY
TUESDAY, AUGUST 2, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend J. H. Brown, Pastor, Highland Gardens Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones	Robison	

—34

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Davis (Lowndes) for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Also:

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

Also:

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

Also:

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Roberts:

S. B. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Leonard:

S. B. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF TALLADEGA.**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The coroner of Talladega County is hereby authorized and empowered to appoint a clerk, and to fix his compensation. The compensation of such clerk shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated, but shall not exceed fifty dollars per month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(June 23-30; July 7-14)

**THE STATE OF ALABAMA,
TALLADEGA COUNTY.**

Personally appeared before me, a..... in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 23, 1955, June 30, 1955, July 7, 1955, July 14, 1955.

CECIL HORNADY

Subscribed and sworn to before me this 30th day of July, 1955.

ELIZABETH M. YOUNG,
Notary Public.

By Mr. Goodwin:

S. B. 324. Relating to the General, Road and Bridge 99, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for

which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
BUTLER COUNTY.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE. The Court of County Commissioners or Board of Revenue or other like governing body of Butler County may, upon proper resolution, transfer to the Gasoline Fund of the County any surplus of the General Fund or Road and Bridge Fund of the County in the County Treasury or any part of such surplus whenever, in the judgment of such Court or Board or like governing body, it will promote the interest of the County to make such transfers. Any surplus of the General Fund or Road and Bridge Fund so transferred shall be used only for the working of the public roads or the building of the bridges or otherwise improving the roads of the County or for other work relating to the road and/or bridges of the County.

SECTION TWO. Any funds that heretofore have been transferred from the General Fund and/or the Road and Bridge Fund of the County to the Gasoline Fund of the County, and having been used for the working of the public roads or the building of bridges or otherwise improving the roads of the County or for any other work relating to the roads and/or bridges of the County may, upon proper resolution of the County Governing Body, be transferred from or repaid out of the Gasoline Fund of the County to the General Fund and/or the Road and Bridge Fund of the County in such amount as was previously transferred from the General Fund and/or Road and Bridge Fund to the Gasoline Fund of the County.

SECTION THREE. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

SECTION FOUR. That if any section, word, paragraph, sentence, clause, provision, or portion of this Act be held unconstitutional or invalid it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act. 40c4

**STATE OF ALABAMA,
BUTLER COUNTY.**

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley, who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of July 7, 14th, 21st and 28th, 1955 being numbers 40, 41, 42 & 43, respectively of Volume 90.

J. G. STANLEY

Sworn to and subscribed before me, this 30th day of July, 1955.

**PAULINE B. FULTON,
Notary Public.**

By Messrs. Van Antwerp, Roberts, Leonard, and Allen:

S. B. 325. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

Committee on Constitution, Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Van Antwerp:

S. B. 326. To amend Section 65 of Title 9, Code of Alabama (1940), providing for the recovery back of usurious interest paid.

Committee on Banking.

By Mr. Flowers:

S. B. 327. To amend Section 77, Title 46, 1940 Code of Alabama, so as to make it a misdemeanor for any architect or engineer preparing plans and specifications for work to be contracted in the State of Alabama to fail to include in their invitation and plans and specifications to bidders, a copy of the contractors law, as required by Section 79, of Title 46, Code of 1940, or accept a bid or award a contract from a contractor not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and also to make it a misdemeanor for a contractor to submit a bid for work in Alabama, who is not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and provide penalties therefor.

Committee on Judiciary.

By Mr. Flowers:

S. B. 328. To amend Section 73, Title 46, 1940 Code of Alabama, so that the Board, on written application, after examination, may grant a

license to any applicant as a general contractor, or (1) as a building contractor, (2) as a highway contractor, (3) as a public utilities contractor or (4) as a specialty contractor as defined and limited by the Board and for re-examination in case of failure to pass the examination and the fee for such application and the renewal thereof.

Committee on Judiciary.

By Mr. Flowers:

S. B. 329. To amend Section 80, Title 46, 1940 Code of Alabama, to provide that no awarding authority or its agent shall issue to other than a general licensed contractor or his representative, plans or specifications or proposed forms; and where bids are to be received on forms furnished by awarding authority, no proposal forms or plans or specifications shall be issued other than to a licensed general contractor or his representative.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bradford:

S. 307. To amend Section 1 of Act No. 169 of the regular session of the Legislature of 1945, (General Acts of Alabama 1945, page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

By Mr. Bradford:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under sub-section (1) of said section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in sub-section (2) of said section shall be eight cents per thousand feet board measure lumber tally, and that sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 314. To authorize the governing body of any county in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital

Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

By Mr. Leonard:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

By Mr. Roberts:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

By Mr. Robison:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

By Mr. Albea:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act relating to counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

By Messrs. Callahan and deGraffenried:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

By Messrs. Hanby and Hawkins:

H. 749. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; to authorize such municipalities to declare weeds growing upon vacant property within the corporate limits thereof to be a public nuisance and to remove them or cause them to be removed; prescribing a procedure therefor; and creating a lien upon such property for the cost of removing the weeds.

By Mr. Cox (with notice and proof):

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

By Mr. Harrison:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

By Mr. Harrison:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

By Messrs. Callahan and deGraffenried (with notice and proof):

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal

combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election and compensation of its members; and regulating the county purchasing procedures.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; trans-

ferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

Also:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed four million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Also:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

Also:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Also:

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

Also:

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscumbia, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Also:

H. 697. To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith," approved April 8, 1955.

Also:

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

Also:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

Also:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Also:

H. J. R. 50. Relative to an interim committee, to be called the Tax Study Committee.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MOTION

Mr. Lamberth moved that at 12:45 P.M. in accordance with the provisions of S. J. R. 35, the Senate retire to the Hall of the House of Representatives for the purpose of a Joint Session, and that immediately after the Joint Session, the Senate take a recess until 3 o'clock this afternoon, which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution:

S. J. R. 57. Relative to appointment of Joint Committee to be appointed by the President of the Senate and the Speaker of the House of Representatives, to correlate the results of biological study and report its findings to the Legislature of Alabama when it next convenes in Regular Session for the purpose of the passage of laws consistent with the findings of the biological research on said matter.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Oakley, McNider and Hodges.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Harrison:

H. B. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 584. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Kelly, chairman, Selman and Oden.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 101, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer appointed as Conferees on part of the Senate Messrs. Allen, Roberts and Eddins.

MOTIONS

The Senate proceeded to consideration of the motion by Mr. Davis (Pickens), et al, requesting the Standing Committee on Public Health to report H. B. 377, which said motion is set out in the Journal of the Senate for the Twenty-Fifth Legislative Day.

On motion of Mr. Robison, further consideration of said motion was made a special, paramount and continuing order of business for 3 o'clock this afternoon.

MOTION TO RECONSIDER

Mr. Cooper offered the following Motion in Writing:

"I moved that the vote by which H. B. 98, as amended, was passed, be reconsidered.

"Cooper."

APPOINTMENT OF SELECT COMMITTEE

The President and Presiding Officer of the Senate appointed as Committee on part of the Senate to escort Honorable Marvin Griffin to the Joint Session, Messrs. Smith, Little and Flowers.

JOINT SESSION

The hour of 12:45 P.M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of

the House of Representatives for the purpose of hearing an address by Honorable Marvin Griffin, Governor of Georgia.

Thereupon Governor Griffin was escorted to the Chair and delivered his address to the Legislature.

The purpose of the Joint Session having been accomplished, in accordance with previously adopted motion, and pending further consideration of motion relative to H. B. 98, and House Bill 110, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION
TWENTY-SEVENTH LEGISLATIVE DAY
TUESDAY, AUGUST 2, 1955

The Senate reassembled at 3 o'clock P.M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 57. Relative to appointment of committee to correlate results of biological study of effect of electrical devices on fishing in Alabama and to report its findings to next Regular Session of Legislature.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Metcalf:

S. B. 330. To amend further Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

Committee on Finance and Taxation.

By Mr. Cantrell:

S. B. 331. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Committee on Municipalities and Municipal Organizations.

REPORTS OF COMMITTEES

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

H. 555. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

SPECIAL, PARAMOUNT AND CONTINUING ORDER OF BUSINESS

The Senate proceeded to further consideration of the Special, Paramount and Continuing Order of Business, which was the Motion of Mr. Davis (Pickens), et al, requesting The Standing Committee on Public Health to report back to the Senate, House Bill 377.

And said motion was adopted by the Senate.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Davis (Pickens)	Goodwin	Robison
Calvin	Dyar	Grisham	Smith
Coleman	Eddins	James	Tate
Cooper	Engelhardt	Jones	Vann
Davis (Lowndes)	Givhan	Moses	Yarbrough (Autauga)

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Nays:

Messrs.:	Flowers	Metcalf	Shelton
Boutwell	Lamberth	Reeves	Skidmore
Bradford	Little	Roberts	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Speaks:

H. J. R. No. 57. WHEREAS, Miss Patricia Huddleston of Clanton, Chilton County, Alabama, was on August 1, 1955, chosen as "Miss Alabama" in a statewide contest selecting the beauty and talent queen of Alabama; and

WHEREAS, this charming young damsel represents all that is beautiful and gracious of the womanhood of Alabama; and

WHEREAS, she is a true peach from the peach section of the state, representing Chilton County, the peach capitol of the world; and

WHEREAS, this Legislature wishes to congratulate her and extend to her its best wishes and invite her to visit with this Legislature at her convenience.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that we do extend to this charming young Alabamian our most sincere congratulations upon her selection and we do extend to her our best wishes for her future success in the Miss America Contest to be held in Atlantic City.

BE IT FURTHER RESOLVED, that Miss Patricia Huddleston be invited by the Clerk of this House to visit with the Legislature at her convenience.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Miss Huddleston and to the Press.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Yarbrough (Autauga), the Rules were suspended and the Resolution, H.J.R. 57, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 140. To define the power, authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

Also:

H. 456. To make an appropriation in the amount of \$2,000, or so much thereof as may be necessary, to the Department of Industrial

Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

Also:

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Also:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Also:

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Also:

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

Also:

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Also:

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 740. To Alter and Extend the Boundaries of the City of Mountain Brook.

Also:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18,

S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Also:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill:

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water or other soft drinks or beverages containing artificial or non-nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brown (Lee):

H. 612. To require the Board of Pardons and Paroles to restore civil and political rights to any person applying therefor who submits proof of good conduct for a period of not less than two years after termination of the sentence against him.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 612. To the Committee on Judiciary.

RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 5th, 1955.

And said Resolution was adopted by the Senate.

Mr. Shelton offered the following Senate Joint Resolution, to-wit:

S. J. R. 59. Be it resolved by the Senate, the House concurring, that an interim committee of six (6) members, three (3) of whom shall be from the Senate and appointed by the President thereof, and three (3) members of the House, who shall be appointed by the speaker thereof, to study the problems of the dairy industry and report back their findings to the next regular or special session of the legislature. Said committee shall work with the Alabama Milk Control Board and the Commissioner of Industry and Agriculture in all aspects of the present milk problem in Alabama.

Such committee shall be empowered to have the services of expert assistance from an auditor or auditors furnished by the State to assist them in obtaining and collecting figures, records or data, which have a bearing on the milk situation.

Such members of said committee shall receive the regular allowances and pay of a legislator for the actual days such committee is in session, not to exceed fifteen (15) days.

Which was read and referred to the Standing Committee on Rules.

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. WHEREAS, the 1953 Legislature provided that members of the Employees' Retirement System would be allowed to become covered under the Old Age and Survivors Insurance plan of Social Security in addition to their 3½% retirement plan if permitted by Congressional Acts, and

WHEREAS, in 1954 Congress did amend the Social Security Acts to allow this dual coverage for all members of the Employees' Retirement System except employees classified as State Policemen, viz; Highway Patrol, Criminal Investigators and ABC Board Investigators, and

WHEREAS, State Employees other than State Policemen have now become covered under the dual plan of insurance and retirement; Now, Therefore:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that

The Secretary-Treasurer of the Employees' Retirement System is directed to work with the State Policemen Retirement Committee, the

Director of Public Safety, the ABC Board Administrator and with the Actuary employed by the System to develop proposed legislation for the 1957 Legislature that will improve the benefits from the Retirement System for State Policemen to eliminate the present discrimination in favor of those employees who have the dual plan, and

BE IT FURTHER RESOLVED, that the Secretary-Treasurer is instructed to have the Actuary draw necessary bills and develop cost estimates of proposed coverage plan for cost of joint participation by both the State Policemen and the State fund from which these policemen are paid.

And on motion of Mr. Robison, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Vann offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that Senate Bill 95, which has passed both Houses be named the Vann and Harrison Bill.

And on motion of Mr. Vann, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Simon, Murphy and Tyson:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Also:

By Messrs. Ramey and Richardson:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 787. To the Committee on Local Legislation.

H. B. 774. To the Committee on Finance and Taxation.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:35 P.M., on motion of Mr. Van Antwerp, pending further consideration of motion by Mr. Cooper relative to H. B. 98, pending further consideration of H. B. 110, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 5, 1955, at 10 o'clock A.M.

TWENTY-EIGHTH LEGISLATIVE DAY
FRIDAY, AUGUST 5, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Comer W. Woodall, Pastor, Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Smith, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled

Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water or other soft drinks or beverages containing artificial or non-nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Vann:

S. B. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF MADISON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Huntsville in Madison County are hereby altered, rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

(a) All that part of Sections 33 and 34, Township 3 South, Range 1 West, and Sections 3 and 4, Township 4 South, Range 1 West in Madison County, Alabama particularly described as beginning at the northwest corner of the Corporate limits of the City of Huntsville, Alabama, at the center of Section 34, Township 3 South, Range 1 West, which place of beginning is further described as being the northwest corner of F. K. Noojin's Hillandale Addition, thence from the place of begin-

ning west 7920.0 feet to the center of the west boundary of Section 33, Township 3 South, Range 1 West; thence south along the west boundary of Section 33 Township 3 South, Range 1 West and along the west boundary of Section 4, Township 4 South, Range 1 West, 6775.0 feet to a point on the north margin of the Southern Railway right-of-way; thence north 71 degrees 0 minutes east along the north margin of the Southern Railway right-of-way 10795.0 feet to a point in the center of Eighth Street which point is on the west boundary of the present corporate limits of the City of Huntsville; thence due north along the corporate limits line and along the center line of said Eighth Street 1320.0 feet to a point in the center of Athens Pike or Athens Street; thence South 77 degrees 0 minutes west along the center of said Athens Pike or Athens Street 2218.0 feet to a point on the west boundary of the southeast quarter of Section 34, Township 3 South, Range 1 West; thence north 1 degree 3 minutes east 2539.7 feet to the place of beginning.

(b) All that part of Sections 7, 8, 17 and 18, Township 4 South, Range 1 East, and Sections 12, 13, 14, 23 and 24 of Township 4 South, Range 1 West, Madison County, Alabama, particularly described as beginning at the southeast corner of the Corporate limits of the City of Huntsville which place of beginning is further described as being the center of the north boundary of the northeast quarter of Section 8, Township 4 South, Range 1 East; thence from the place of beginning south 1980.0 feet to the center of the east boundary of the southwest quarter of the northeast quarter of Section 8, Township 4 South, Range 1 East; thence west 2640.0 feet to the center of the east boundary of the southwest quarter of the northwest quarter of Section 8, Township 4 South, Range 1 East; thence south 3300.0 feet to the center of the south boundary of the southwest quarter of Section 8, Township 4 South, Range 1 East; thence west along the south boundary of Section 8, ~~Township 4 South, Range 1 East~~ 575.0 feet to a point on the west margin of Drake-Garth Road; thence along the west margin of Drake-Garth Road as follows: south 6 degrees 10 minutes east 715.0 feet; thence south 21 degrees 20 minutes east 1220.0 feet; thence south 5 degrees 20 minutes west 830.0 feet to a point on the south boundary of the northwest quarter Section 17, Township 4 South, Range 1 East; thence leaving Drake-Garth Road due west 4775.0 feet to a point on the east margin of Whitesburg Drive; thence north 1 degree 20 minutes west along the east margin of Whitesburg Drive 365.0 feet to a point in line with the north margin of the Airport Access Road; thence south 84 degrees 30 minutes west along the north margin of the Airport Access Road 3180.0 feet to a point; thence south along the east margin of the Huntsville Madison County Airport property 2785.0 feet to a point at the center of the south boundary of the southeast quarter of Section 13, Township 4 South, Range 1 West; thence west 1320.0 feet to the center of the north boundary of Section 24, Township 4 South, Range 1 West; thence south 2640.0 feet; thence west 2640.0 feet to the center of the west boundary of Section 24, Township 4 South, Range 1 West; thence north 1980.0 feet; thence west 1320.0 feet; thence north 660.0 feet; thence west 1320.0 feet to the center of the south boundary of Section 14, Township 4 South, Range 1 West; thence north 2640.0 feet to the center of Section 14, Township 4 South, Range 1 West; thence east 2640.0 feet to the center of the west boundary of Section 13, Township 4 South Range 1 West; thence north 6600.0 feet to the center of the west boundary of the northwest quarter of Section 12, Township 4 South, Range 1 West; thence east 1769.0 feet to a point on the southwest corporate boundary of the City of Huntsville which point is further described as being located on the east margin of the right-of-way of the N C & St. L railway; thence south 16 degrees 56 minutes east along the east margin of the N C & St. L Railway right-of-way and along the southwest corporate boundary

of the City of Huntsville 1402.0 feet to a point in the center of Donegan Lane said point is further described as being located on the south boundary of the northwest quarter of Section 12, Township 4 South, Range 1 West; thence east along the center line of Donegan Lane 5720.0 feet to the center of Section 7, Township 4 South, Range 1 East, thence north 2640 feet to the center of the north boundary of Section 7, Township 4 South, Range 1 East, thence east 6600.0 feet to the place of beginning.

(c) All that part of Sections 1, 2, and 12, Township 4 South, Range 1 West, Madison County, Alabama, particularly described as beginning at the intersection of the east margin of Memorial Parkway with the southwest boundary of the corporate limits line said place of beginning is further described as being south 687.5 feet and west 115.0 feet from the center of the west boundary of Section 1, Township 4 South, Range 1 West, thence from the place of beginning south 11 degrees 15 minutes east along the east margin of the Huntsville or Memorial Parkway 2585.0 feet to the north margin of Bob Wallace Avenue Extended thence north 78 degrees 45 minutes east along the north margin of said Bob Wallace Avenue Extended 634.7 feet; thence north 73 degrees 2 minutes east 451.2 feet; to a point on the boundary of the southwest corporate limits of the City of Huntsville said point is further described as being located on the east margin of the right-of-way of the N C & St. L Railway; thence north 17 degrees 0 minutes west along the east margin of the N C & St. L Railway right-of-way 1480.0 feet to a point; thence south 56 degrees 30 minutes west 570.0 feet to a point; thence north 33 degrees 30 minutes west 1150.0 feet to the place of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charley W. Holder, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times Company, a Corporation which prints and publishes The Huntsville Times, that it is a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached "Legal Notice" was published in said newspaper on June 30, July 7, July 14 and July 21, 1955.

CHARLEY W. HOLDER,
Secretary-Treasurer.

Sworn to and subscribed before me this the 2 day of August, 1955.

OPAL H. DILWORTH,
Notary Public.

My commission expires May 19, 1959.

By Mr. Lamberth:

S. B. 333. To amend Act No. 712, H. 48, approved September 5, 1951 (Acts of Alabama, Regular Session, 1951, p. 1250), entitled "An Act to create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolish-

ing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose."

Committee on Finance and Taxation.

By Messrs. Engelhardt, Eddins, Givhan and Boutwell:

S. B. 334. Regulating the acquisition, use, operation, maintenance, and disposition of passenger motor vehicles purchased wholly or partially with state funds for the use of state employees and officers and state departments, institutions, and agencies; providing for the keeping of records concerning such vehicles; prohibiting the acquisition or regular use of such vehicles by certain state officers, departments, and agencies; prescribing penalties for violations of the Act and providing generally for the administration thereof.

Committee on Judiciary.

By Mr. Newton:

S. B. 335. To amend Section 672 of Title 2 of the Code of Alabama of 1940 relating to persons engaged in professional work or services pertaining to entomological work, pathological work, horticultural and floricultural work and tree surgery.

Committee on Agriculture.

By Mr. Reeves:

S. B. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Committee on Agriculture.

By Mr. Calvin:

S. B. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the present regular session of the Legislature of Alabama for the enactment of the following local law:

A BILL TO BE ENTITLED AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the boundary lines of the City of Decatur in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

All that part of the SE $\frac{1}{4}$ of Section 28, Township 5 South, Range 4 West, lying East of the present City Limit line of the City of Decatur;

Also, all that part of the NE¼ of Section 33, Township 5 South, Range 4 West, lying East of the present City Limit line of the City of Decatur and North of the south line of Stratford Road, S. E.;

Also, the NW¼ of the NW¼ of the NW¼ of Section 34, Township 5 South, Range 4 West.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Decatur, Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1955.

B. C. SHELTON

Sworn to and subscribed before me this July 20th, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Boutwell, Robison, and Reeves:

S. B. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. B. 339. To amend Section 81, Title 61, Code of Alabama, 1940, as amended by Act No. 356 of the Regular Session of the Legislature of 1945, approved July 6 1945, and as amended by Act No. 635 of the Regular Session of the Legislature of 1951, approved September 4, 1951.

Committee on Local Legislation.

By Mr. Newton:

S. B. 340. Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only in Walker County, Alabama.

Section 2. In all proceedings now pending or hereafter instituted for disbarment, removal, suspension or other disciplinary action against any attorney admitted to the practice of law and duly licensed to practice law in Walker County, Alabama, the accused shall have the right to a trial by jury, as provided by law in criminal cases. The right to a trial by jury shall not be deemed to have been waived, except upon written consent of the accused attorney, filed with the Secretary of the Alabama State Bar or with the clerk of the court before which any such proceeding is instituted, or is now pending. Provided, however, that any attorney admitted to the practice of law, upon being notified in writing of any disciplinary action against him by the Alabama State Bar, or any disciplinary committee thereof, may, by written request to the Secretary of the Alabama State Bar within thirty days after being so notified, elect to be tried by the Bar Commission as now provided by law. Further provided, however, that nothing contained herein shall be construed as impairing or preventing any court of competent jurisdiction from exercising its inherent judicial power to institute disciplinary or disbarment proceedings in any appropriate case against any attorney admitted to the practice of law and duly licensed to practice law in Walker County, who is guilty of such conduct as to justify disciplinary or disbarment action by the court, which said proceeding may be heard and conducted by the court without the accused having the right to a trial by jury.

Section 3. All disbarment or disciplinary proceedings of every kind and character of any person admitted to the practice of law, whether pending before the Alabama State Bar or any grievance committee of the Alabama State Bar or before any court on appeal or otherwise are hereby abated. In any proceeding, pending before any court of this State or before the Alabama State Bar or any disciplinary committee of the Alabama State Bar or any local or county bar association or grievance committee, and hereby abated, the record of said proceeding shall forthwith be certified and forwarded to the clerk of the circuit court of Walker County for trial, in accordance with the provisions of this Act.

After said record of said proceeding has been filed with the clerk of the circuit court of Walker County, the solicitor of said circuit shall draw up, in writing, an accusation based upon the facts alleged in the said complaint by the Alabama State Bar, or any grievance committee of the Alabama State Bar, setting forth the facts upon which the charges are based, and move the court for the suspension or removal of such attorney.

Section 4. The circuit court must, if of the opinion that the accusation would, if true, furnish grounds for suspension or removal of such attorney, make an order requiring the accused to appear and answer the same on a specified date of not less than thirty (30) days from date

of such order, during that term or the next term, or any other time when the court can hear and determine the same, a copy of which, together with a copy of the accusation, must be served upon the accused.

Section 5. The accused must appear at the time appointed in the order and answer the accusation, unless for sufficient cause the court assigns another day for that purpose; if he does not appear, the court may proceed and determine the accusation in his absence.

Section 6. The accused may answer such accusation, either by objection in writing to the sufficiency thereof, or by denying the truth of the facts alleged or setting forth the facts of his defense, which said answer as to facts, by denial or otherwise, must be in writing, signed by the accused and verified by his oath, and the accusation, objections, and answer in said proceedings are hereby made of the record therein.

Section 7. If the objection to the sufficiency of the accusation be not sustained, the accused must answer it forthwith.

Section 8. If the accused pleads guilty or fails or refuses to answer the accusation, the court must proceed to judgement of suspension or removal; if he answers the accusation, the court must immediately, or at such time as it may appoint, proceed to try the same; if the accused waives the right to trial by jury, as herein provided, the court, in trying the same, shall make and file a statement of the facts established by the evidence, and if trial is by jury, the jury must make a special finding of the facts, upon issues of fact submitted by the court, and upon such statement of facts by the court, or special findings of fact by the jury, the court must render judgement of acquittal or suspension, or removal of the accused, as such facts may warrant.

Section 9. The accused attorney against whom the prosecution is instituted, or is about to be instituted, may stop or prevent such prosecution by a surrender of his license as an attorney in all the courts of the State of Alabama to the attorney or solicitor prosecuting such proceedings against him, or whose duty it would be to prosecute such proceedings against him, if instituted, which surrender of license shall be reported by such prosecuting attorney or solicitor to the court or tribunal in which or by which the prosecution is or is about to be instituted, and who shall also report such surrender of license to the supreme court of this state, and a record of which surrender shall be made in the supreme court of said state.

Section 10. The proceedings, whether instituted by the court on its own motion, or as herein provided, by the solicitor of the circuit court, or a court of like jurisdiction, must be conducted in the name of the State, and in all cases, the solicitor of said circuit shall appear and sustain such accusation, and be responsible for the faithful performance thereof as of other official duties required of him by law.

Section 11. Either party has a right to subpoenas and other process to compel the attendance of witnesses; and testimony may be taken by deposition in such cases, and in the same manner as in actions at law; and the court shall dismiss the cause if security for costs has not been given as required by law.

Section 12. The accused may appeal to the supreme court from and adverse judgement rendered by the circuit court, or court of like jurisdiction, in said proceedings, in the manner now prescribed by law for appeals in civil cases, and the supreme court may affirm, modify or reverse such judgement, or render such judgement in such proceeding as the circuit court, or court of like jurisdiction should have rendered.

An appeal by the accused shall suspend the judgement until the determination of the appeal.

Section 13. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed:

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ALONZO SHUMATE,
Representative, Place
No. 1, Walker County.

6-30-55 4tc.

AFFIDAVIT

STATE OF ALABAMA,
COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Publisher of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of A Bill To Be Entitled An Act who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times for 4 consecutive weeks, namely; June 30, July 7, 14 and 21, 1955.

WALKER COUNTY TIMES

W. I. DOVE,
Publisher.

Sworn to and subscribed before me, this 28 day of July, 1955.

MRS. ANNIE DAVIS,
Notary Public.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gist:

H. 115. Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

By Messrs. Fite and Adams:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebted-

ness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

By Mr. Newton:

S. 269. To amend Section 144 of Title 15, Code of Alabama (1940), which relates to bail taken by sheriff on commitment for bailable offense.

By Messrs. Johnson (Tallapoosa) et al:

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

By Mr. Reeves:

S. 278. To amend Section 1 of Act No. 886, approved September 12, 1951.

By Messrs. Bradford and Cooper:

S. 229. Relating to nuisance: to further define a nuisance and to provide that such nuisance may be abated by a municipality.

By Mr. Brown (Lee):

H. 612. To require the Board of Pardons and Paroles to restore civil and political rights to any person applying therefor who submits proof of good conduct for a period of not less than two years after termination of the sentence against him.

By Mr. Boutwell:

S. 61. To amend Section 90 of Article 2 of Chapter 2 of Title 61 of the Code of Alabama of 1940.

By Messrs. Harrison and Fite:

H. 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

By Mr. Boutwell:

S. 281. To amend Section 12 Title 51 Code of Alabama 1940 relating to Young Men's Christian Associations.

By Messrs. Simon, Murphy and Tyson:

H. 78. To amend Sections 286, 287, and 290, of the Code of Alabama of 1940, Title 14.

By Mr. Allen:

S. 164. To amend Section 99 of Title 29, Code of Alabama (1940), which prescribes the penalty for violation of the prohibition law.

By Messrs. Hare et al:

H. 159. To amend Section 9 of Title 30, Code of Alabama (1940), which relates to the membership of jury commissions.

By Mr. Oden:

H. 37. To make it a misdemeanor for any person to drive a motor vehicles without the consent or acquiescence of the board of education which is customarily used as a driveway or a parking place for motor vehicles without the consent or acquiescence of the board of education or other governing body having control of the use of the school property, and to provide a penalty therefor.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (With amendment):

S. 168. To amend Section 83, Title 11, Code of Alabama, 1940, (relating to costs, how taxed and collected).

Mr. Roberts, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca et al:

H. 151. To amend further Section 184, Title 39, Code 1940, which relates to Sundays and legal holidays.

Mr. Cooper, Vice-Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Van Antwerp, Roberts, Leonard and Allen (With amendment):

S. 325. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

The above Bill was read a second time at length as required by the Constitution.

Mr. Cooper, Vice-Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Brown (Lee) and Ward:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Killough and Taylor:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Harrison et al:

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Newton (With amendment):

S. 66. Relating to school bus drivers; requiring boards of education to pay additional compensation to certain persons employed by the board to drive school buses.

By Messrs. Goodwyn et al (With amendment):

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Fite:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

By Messrs. Ramey and Richardson:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Mr. Boutwell, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tate (With substitute):

S. 153. To amend further Act No. 159, H. 233, approved June 23, 1945, (General Acts of Alabama, 1945, page 200), which regulated, through licensure, the business of lending money, created the Bureau of Loans in the Department of Commerce, and prescribed procedures for the enforcement of the Act, as amended and re-enacted by Act No. 787, S. 601, approved September 11, 1951 (Acts of Alabama, 1951, page 1385).

Mr. Robison, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper and Engelhardt (With substitute):

S. 224. Relating to insurance; amending further Section 317 of Title 28, Code of Alabama (1940), which established the State Insurance Fund.

Mr. Eddins, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Davis et al:

H. 17. To create a State Department of Pensions and Security, a State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

By Messrs. Van Antwerp, Eddins, Roberts, Calvin, Metcalf, Little, Lamberth, Coleman, Davis (Pickens), Bradford, Davis (Lowndes), Yarbrough (Autauga), Robison, Flowers, Allen, Jones, James, Cooper, Yarbrough (Randolph), Newton, Goodwin and Skidmore:

S. 277. To amend Section 15 of Act No. 703, approved September 5, 1951, p. 1211, which relates to payments after death for public assistance recipients.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

By Mr. Leonard (With notice and proof):

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

By Mr. Goodwin (With notice and proof):

S. 324. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Mr. Vann, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with out reconsideration, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (Without recommendation):

S. 194. To repeal Act No. 430, H. 222, approved August 28, 1953, which is known as the "Right to Work Act," and entitled "An Act to provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto" (Acts of 1953, Vol. I, pp. 535-537).

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Flowers, Cooper, Skidmore, Shelton, Leonard and Metcalf:

S. 267. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal

the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an adverse report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hall and Dawkins (Adverse with amendment):

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

BILLS REPORTED AND RE-REFERRED

Mr. Cooper, Vice-Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following Bill and ordered ~~same returned to the Senate with the recommendation that it be re-~~referred to the Standing Committee on Finance and Taxation:

S. B. 232

And said Bill was re-referred to the Standing Committee on Finance and Taxation.

Mr. Cooper, Vice-Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation:

S. B. 40

And said Bill was re-referred to the Standing Committee on Finance and Taxation.

Mr. Cooper, Vice-Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation:

H. B. 617

And said Bill was re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution your signature thereto is requested.

H. J. R. 57. Relative to the Legislature congratulating Miss Patricia Huddleston of Clanton, on being selected "Miss Alabama".

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 60. Relating to Employees' Retirement System.

Also:

S. J. R. 44. Relating to trade barriers to the development of economic advantage which may be derived from the free flow of commerce and trade between Alabama and her neighboring states.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 61. Relating to the naming of Senate Bill 95 the Vann and Harrison Bill.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 58. Relative to adjournment of the two Houses to meet again on Friday, August 5th, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Grouby:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), as amended by Act No. 632, H. 1025, approved September 15, 1953 (Acts of 1953, p. 887), is amended further to read as follows:

"Section 3. The judge of said court shall be a qualified elector of the State and a resident of Autauga County, and shall reside in said county during his continuance in office. The judge need not be learned in the law; but if a person who is learned in the law is elected or appointed judge of this court, such person shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 30J4c

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF AUTAUGA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/30/, 7/7, 7/14, and 7/21, all in the year 1955.

MRS. H. M. DOSTER

Sworn to and subscribed before me July 26, 1955.

MARY ALICE BAKER,
Notary Public.

Also:

By Mr. Huddleston:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF COLBERT.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The coroner of Colbert County is hereby authorized and empowered to appoint a clerk, and to fix his compensation. The compensation of such clerk shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated, but shall not exceed seventy-five dollars per month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Berry L. Cantrell, State Senator.

July 1, 8, 15, 22c

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF COLBERT.

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, 8, 15 and 22, 1955.

L. H. BAKER

Sworn to and subscribed before me this 23rd day of July, 1955.

SUE H. NATHAN,
Notary Public.

Also:

By Mr. Branyon:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Also:

By Messrs. Gist and Money:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A PROPOSED LOCAL ACT

Notice is hereby given of the intention to apply to the present regular session of the legislature for the passage of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The places of the five Aldermen upon the City Council of the City of Scottsboro, Alabama, shall be designated by number from 1 to 5, inclusive.

Section 2. At the next general municipal election there shall be elected a Mayor and five members of the Council whose terms of office shall be as follows:

The Mayor—Four years.

Alderman No. 1—Four years.

Aldermen 2 to 5, inclusive—Two years each.

Section 3. Following the next General Municipal Election, there shall be held in said City a General Municipal Election every two years thereafter for the purpose of filling vacancies of members of the Council whose terms have expired and upon the ballots used in said elections the various places shall be designated as Place No. 1, place No. 2, etc., and each candidate at the time he announces for office shall designate in his written declaration of candidacy the number of the place he seeks.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor.

69A4

**STATE OF ALABAMA
JACKSON COUNTY**

Before me, James M. Proctor, a Notary Public in and for said County and State, personally appeared P. W. Campbell, who, being by me first duly sworn deposes and says that he is the Editor and Publisher of the Progressive Age, a newspaper published in Scottsboro, Jackson County, Alabama, and that the foregoing notice of intention to have introduced in the Legislature of Alabama, a local bill a copy of which is set out in said notice, appeared in said Progressive Age once a week for four consecutive weeks, namely, June 9, June 16, June 23 and June 30, 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me this the 1st day of July, 1955.

JAMES M. PROCTOR,
Notary Public.

Also:

By Mr. Dement:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Also:

By Messrs. Callahan and deGraffenried:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama, follows:

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
TUSCALOOSA COUNTY**

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be changed and extended to include the following separate territories:

PARCEL. 1. Begin at a point where the Southwestern boundary of the Tuscaloosa-Birmingham highway intersects the South boundary of the Southwest quarter of the Northwest quarter of Section 21, Township 21 South, Range 9 West and run in a Westerly direction along the South boundary line of said Southwest quarter of the Northwest quarter of said Section 21 and the South boundary line of the North half of Section 20, Township 21, Range 9 West, to the Southwest corner of the

Northeast quarter of Section 20, Township 21 South, Range 9 West; thence run in a Southerly direction to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 20, Township 21 South, Range 9 West, thence in an Easterly direction along the South boundary line of the North half of the Southeast quarter of Section 20, Township 21 South, Range 9 West, to the Southeast corner of the Northeast quarter of the Southeast quarter of Section 20, Township 21 South, Range 9 West; thence in a Southerly direction along the Section line dividing Sections 20 and 21 to the Northwest corner of Lot 54 of Re-subdivision Number 2 of the M. R. Bettis Survey, a map or plat of which is of record in Plat Book 4, at Page 196 in the Office of the Judge of Probate of Tuscaloosa County, Alabama; thence run in an Easterly direction along the North boundary line of Lots 54, 53, 52 and 51 in said M. R. Bettis Subdivision to the Northeast corner of said Lot 51; thence run in a Northerly direction along a prolongation of the line dividing Lots 50 and 51 in the said M. R. Bettis Subdivision a distance of 298.1 feet to a point; thence turn 83 degrees 03' to the right and run in a Northeasterly direction a distance of 220.4 feet to a point on the Western margin of the old Birmingham-Tuscaloosa Highway which is 178.9 feet Northward from the concrete right-of-way marker numbered 2007-08-8; thence run along the Western margin of the old Tuscaloosa-Birmingham highway and the Southwestern margin of the new Tuscaloosa-Birmingham highway (U. S. Highway 11) to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 8-15-22-29-4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa, County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1955.

BUFORD BOONE.

Sworn to and subscribed before me July 5, 1955.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. Ward and Brown (Lee):

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

Also:

By Messrs. Callahan and deGraffenried:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Also:

By Messrs. Selman and Shumate:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Also:

By Mr. Davis:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

By Messrs. Lackey, Kaul, Perry, Edwards (Jefferson), Nice, Vacca, and Meeks:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Also:

By Messrs. Kaul, Perry, Edwards (Jefferson), Nice, Lackey, Meeks and Vacca:

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama which convened in Montgomery, Alabama, on Tuesday, May 3, 1955, for enactment of the following law.

W. D. Kendrick, President
Jefferson County Commission.

AN ACT TO PROVIDE FOR THE RELIEF OF EVELYN LOUISE BREWER, OUT OF THE GENERAL FUNDS OF JEFFERSON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the County Commission of Jefferson County is hereby authorized to pay to Evelyn Louise Brewer, the widow of former County Highway Department employee Maurice Elton Brewer, the sum of Five Thousand (\$5,000.00) Dollars for the death of her husband, Maurice Elton Brewer, who died on May 14, 1954, from injuries received by him in the line of duty in the ash pit at Sareyton Mines on May 12, 1954, when at said time and place he was covered with hot ashes as a

consequence of an explosion. The said sum of money is to be paid to the said Evelyn Louise Brewer out of such monies as may be constitutionally available, and it shall be the duty of the County Treasurer to pay said sum out of the general fund of said County.

Section 2. This act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

Messenger—June 25; July 2-9-16, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 25; July 2, 9, 16, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 16th day of July, 1955.

MYRTLE P. LITTLE,
Notary Public.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 763, 770, 771, 776, 785, 795, 783, 796, 798, 799, 782 and 777. To the Committee on Local Legislation.

(The above bills, H. B.'s 771, 785, 783, 799 and 782, were read at length as required by the Constitution.)

H. B.'s 579 and 578. To the Committee on Judiciary.

UNFINISHED BUSINESS MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion of Mr. Cooper that the vote by which House Bill 98 was passed, be reconsidered.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 61. Relative to naming Senate Bill 95.

Also:

S. J. R. 44. Relative to urging the State Commission on Interstate Co-operation to exert all effort and power to cooperate with other States in finding means to repeal existing trade barriers and prevent erection of future barriers to development of free flow of commerce and trade among the States.

Also:

S. J. R. 60. Relative to directing the Sect'y-Treas. of Employees' Retirement System to work with other named officials and the State Police Retirement Committee to develop proposed legislation that will improve the benefits from the Retirement System for State Policemen.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

ADJOURNMENT

At 12:06 P.M., on motion of Mr. Calvin, pending further consideration of motion relative to H. B. 98, and H. B. 110, the Senate adjourned until Tuesday, August 9, 1955, at 12 o'clock Noon.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Eddins	Little	Smith
Calvin	Engelhardt	Reeves	Tate
Coleman	Givhan	Robison	Yarbrough (Autauga)
Cooper			

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Nays:

Messrs.:	Dyar	Lamberth	Newton
Allen	Flowers	Leonard	Roberts
Cantrell	Goodwin	Metcalf	Van Antwerp
Davis (Lowndes)	Grisham	Moses	Yarbrough (Randolph)

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TWENTY-NINTH LEGISLATIVE DAY
TUESDAY, AUGUST 9, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. Henry Edward Russell, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Robison	

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Goodwin, leave of absence was granted Mr. James for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Callahan:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Also:

By Mr. Dement:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approved the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Also:

By Messrs. Callahan and deGraffenried:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Also:

By Messrs. Killough and Taylor:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
BUTLER COUNTY.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE. The Court of County Commissioners or Board of Revenue or other like governing body of Butler County may, upon proper resolution, transfer to the Gasoline Fund of the County any surplus of the General Fund or Road and Bridge Fund of the County in the County Treasury or any part of such surplus whenever, in the judgment of such Court or Board or like governing body, it will promote the interest of the County to make such transfers. Any surplus of the General Fund or Road and Bridge Fund so transferred shall be used only for the working of the public roads or the building of the bridges or otherwise improving the roads of the County or for other work relating to the road and/or bridges of the County.

SECTION TWO. Any funds that heretofore have been transferred from the General Fund and/or the Road and Bridge Fund of the County to the Gasoline Fund of the County, and having been used for the working of the public roads or the building of bridges or otherwise improving the roads of the County or for any other work relating to the roads and/or bridges of the County may, upon proper resolution of the County Governing Body, be transferred from or repaid out of the Gasoline Fund of the County to the General Fund and/or the Road and Bridge Fund of the County in such amount as was previously transferred from the General Fund and/or Road and Bridge Fund to the Gasoline Fund of the County.

SECTION THREE. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

SECTION FOUR. That if any section, word, paragraph, sentence, clause, provision, or portion of this Act be held unconstitutional or invalid it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act. 40c4

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of July 7, 14th, 21st and 28, 1955 being numbers 40, 41, 42 and 43, respectively of Volume 90.

J. G. STANLEY

Sworn to and subscribed before me, this 30th day of July, 1955.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Steagall:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
DALE COUNTY.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Dale County; fixing the compensation and provide an expense allowance for members of the county governing body.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each member of the court of county commissioners, board of revenue or like governing body of Dale County, except the chairman or other presiding officer, shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly payments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall each receive an allowance of seventy-five dollars (\$75.00) per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law. The chairman or other presiding officer of the court of county commissioners board of revenue or like governing body of Dale County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law.

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms expire first.

PROOF OF PUBLICATION

**STATE OF ALABAMA,
COUNTY OF DALE.**

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1955.

JOHN Q. ADAMS

Sworn to and subscribed before me August 1st, 1955.

**LUCILE B. MARTIN,
Notary Public.**

Also:

By Mr. Lee (Lawrence)

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35)

out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Lawrence County is hereby authorized and directed to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the said Sinclair Refining Company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

25-4

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

JEANETTE LANG McKELVEY

Sworn to and subscribed before me July 29th, 1955.

ARTHUR F. SLATON,
Owner.

By Messrs. Roberts and Reynolds:

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the

county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of one hundred dollars (\$100) is hereby appropriated from any funds in the treasury of Madison County, Alabama, not otherwise appropriated, for the use and benefit of Harold E. Simmons, of Madison County, to compensate him for property damages sustained when his automobile was struck by a county highway truck during the year 1953, and for the recovery of which damages the said Harold E. Simmons had or has no recourse at law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 29, July 6, 13 & 20, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1955.

J. M. LANGHORNE,
General Manager.

Sworn to and subscribed before me July 21, 1955.

CHARLEY W. HOLDER,
Notary Public.

By Messrs. Murphy, Simon, and Tyson:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the

payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the following bill, in substance, will be offered for introduction and passage in the Legislature of Alabama, viz:

A BILL TO BE ENTITLED AN ACT

To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such county and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors or witnesses; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That from and after the effective date of this act all warrants drawn on the Treasury of Mobile County or on any fund of such county for the payment of all the salaries, wages, materials, supplies and equipment which are or which may become a charge against Mobile County or against any of the funds of Mobile County except warrants or certificates drawn for the payment of jurors or witnesses, shall be drawn and signed by the Chairman of the Board of Revenue and Board Commissioners of Mobile County and by no other officer of such county.

Section 2. It shall be unlawful for the Treasurer of Mobile County to honor or to pay any warrant drawn against the Treasury of Mobile County or against any fund of such county unless such warrant is drawn and signed in accordance with the provisions of this act.

Section 3. All laws or parts of laws, whether general, special or local, in conflict with the provisions of this act be and the same hereby are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the governor.

GARET VAN ANTWERP,
TOM MURPHY,
OTTO E. SIMON

Reg. July 7, 14, 21, 28

W. M. Curran being sworn, says that he is Auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register.

W. M. CURRAN

July 7, 14, 21, 28, 1955

Sworn to and subscribed before me this 28th day of July, 1955.

ALVIN A. JOHNSON,
Notary Public.

July 7-14-21-28, 1955.

Also:

By Messrs. Brewer, Dement, Lee (Lawrence) and Gilchrist:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Also:

By Messrs. Goodwyn, Dawkins, and Hall and Nolen:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

By Messrs. Kaul, Perry, Edwards (Jefferson), Meeks, Nice, Lackey and Vacca:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, Page 81, et seq.), as said last named Act has been or may be hereafter amended.

Also:

By Messrs. Lackey, Meeks, Perry, Edwards (Jefferson), Kaul, Vacca and Nice:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Also:

By Messrs. Roberts and Reynolds:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 562, 53, 831, 832, 836, 853, 856, 859, 864, 865, 866, and 628 to the Committee on Local Legislation.

(The above Bill, H. B. 831, was read at length as required by the Constitution.)

H. B. 861. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Killough and Taylor:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body, in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
BUTLER COUNTY.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize all cities or towns in the State of Alabama having a population of 6,500 and not more than 6,900 according to the last or any

subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One. This act would apply only in cities having a population of not less than 6,500, nor more than 6,900 inhabitants according to the last or any subsequent decennial census of the United States.

Section Two. That there shall be elected at each general municipal election the following officers who shall compose the City Council, and who shall hold office for four years and until their successors are elected and qualified, and who shall exercise the legislative functions of city government and any other powers and duties which are or may be vested by law in the City Council or its members:

1. Councilman, place number one.
2. Councilman, place number two.
3. Councilman, place number three.
4. Councilman, place number four.
5. Councilman, place number five.

All of which said councilmen shall be elected from the city at large. The same person shall not be a candidate or be permitted to file his statement of candidacy for more than one of such places, and should a run-off be necessary, such a candidate may enter the election for only the place for which he announced his original statement of candidacy, and no ballot shall be counted for any candidate in any election, except for the place or number for which he announced in his statement of candidacy.

Section Three. Canvassing returns. Within the term provided by the General Municipal Election laws for the delivery of the boxes, the council shall proceed to open the same and canvass the returns. If any candidate for office in said election has received a majority of the votes cast for that office, then such candidate shall be declared elected to such office and a certificate of election shall be given to such person by the council or other governing body, which shall entitle the person

so certified to the possession of their respective offices immediately upon the expiration of the term of their predecessors as provided by law. If no candidate receives a majority of all the votes cast in such election for any one office or offices for the election to which there were more than two candidates, or in the event of a tie vote between two or more persons for the same office, then, in either event, the council or other city governing body shall, not later than three days after such election order a new election to be held not later than seven days after such election, at which election the two candidates receiving the highest number of votes in the first election for such office or offices shall run and the person receiving the highest number of votes shall be declared elected. In the event either of the two candidates receiving the highest number of votes in the first election shall determine not to enter the run-off election herein provided for, he shall, as soon as possible and not later than three days after the holding of the first election, certify his declaration not to enter such second election to the council or other city governing body and upon receipt of such notification such governing body shall declare the other candidate elected to such office and such candidate shall receive a certificate of election and no second election need be held for that particular office, nor shall the name of the party so declining to run be printed on the ballot of any second election held under the provisions of this section. In the event there should be a tie vote cast at any such run-off election, then, in such event, such tie shall be decided by the council or other governing body. This section shall apply in all elections and to all candidates for any municipal office.

Section Four. Except as otherwise provided herein all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the mayor-council form of government.

Section Five. All laws or parts of laws in conflict with this act are repealed.

Section Six. This act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

36c4

STATE OF ALABAMA, BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton, a Notary Public in and for said State and County, J. G. Stanley, who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of June 7, 14, 21st and June 28, 1955 being numbers 36, 37, 38 & 39, respectively of Volume 90.

J. G. STANLEY.

Sworn to and subscribed before me, this 1st day of August, 1955.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Perry, Meeks, Nice, Lackey, Kaul, Vacca, and Edwards (Jefferson):

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

By Messrs. Roberts and Reynolds:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

By Mr. Ashworth:

H. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

Also:

By Mr. Faulk:

H. 488. To provide for the construction of rural mailbox turnouts on Alabama highways.

Also:

By Messrs. Cox, Gregory, Money, Ferrell and Burkhalter:

H. 183. To amend Section 187 of Title 13 of the Code of Alabama of 1940 relating to the appointment and compensation of bailiffs.

Also:

By Mr. Locke (Perry):

H. 685. To amend Section 211 of Title 41, Code of Alabama (1940) which relates to contracts between county officers and the county.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 833. To the Committee on Local Legislation.

H. B.'s 592, 627, 420 and 685. To the Committee on Judiciary.

H. B. 488. To the Committee on Public Roads and Highways.

H. B. 183. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Gilchrist and Brewer:

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include in addition to the territory now embraced therein the following described property, to-wit:

Beginning at the intersection of the center line of 21st Avenue (formerly known as 5th Street) with the line dividing the N½ of Section 28, Township 5 South, Range 4 West, from the S½ thereof and running East along said ½ Section line for a distance of 2,359.81 feet; thence North for a distance of 1,226.5 feet along the westerly margin of a 100 foot right of way deeded by Calumet & Hecla, Inc. to Morgan County; thence turning an angle of 90° 36' 30" clockwise from back tangent and running West for a distance of 2,360 feet to the present city limit of Decatur; thence South along the present city limit of Decatur for a distance of 1,246.28 feet to the point of beginning.

SECTION 2. This act shall be effective immediately upon its passage and approval by the Governor.

STATE OF ALABAMA
MORGAN COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on June 16, June 23, June 30, and July 7, all in the year 1955.

B. C. SHELTON.

Sworn to and subscribed before me, this 8th day of July, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Mr. Lee (Lawrence):

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF LAWRENCE.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There shall be elected at the general election to be held in 1956, and every four years thereafter, or at such other time as may be prescribed by general law, by the qualified electors of Lawrence County, a county superintendent of education for the county, who shall take office on the first day of July next after his election, and who shall hold office for a term of four years, or such other term as may be provided by the general laws of the State governing the term of office for county superintendents of education, and until his successor is elected and qualified. The county superintendent of education of Lawrence County shall perform such duties as are now or may hereafter be required of county superintendents of education by the general laws of the State. No person shall be eligible for political party nomination or for election to the office of county superintendent of education of Lawrence County who does not hold a certificate of administration and supervision based upon graduation with a master's degree from a standard institution in a curriculum approved for the training of elementary and high school teachers and who does not submit proof to the state superintendent of education of three years successful educational experience as teacher, principal, supervisor, or superintendent during the five years next preceding his election. However, it is not meant that these qualifications shall operate at a lower standard than is now or may hereafter be set by the State of Alabama for the appointment or election of county superintendents of education within the State.

Section 2. The county superintendent of education of Lawrence County shall devote his entire time to the operation of the public school system of the county, and he shall receive such compensation as the county board of education shall fix and prescribe, which salary shall not be less than four thousand eight hundred dollars (4,800) per annum nor more than six thousand dollars (\$6,000) per annum, and shall be paid in the same manner as now provided by law for the payment of salaries of county superintendents of education. In addition to the salary herein provided for, the county board of education of Lawrence County is hereby authorized and empowered to pay to the county superintendent of education the sum of one hundred dollars (\$100) per month for traveling expenses incurred by him in the performance of his duties within the county.

Section 3. All laws and parts of laws, general or local, in conflict with any of the provisions of this Act are hereby expressly repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF LAWRENCE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

JEANETTE LONG McKELVEY

Sworn to and subscribed before me July 21, 1955.

ARTHUR F. SLATON,
Owner.

Also:

By Mr. Burkhalter:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE OF INTENTION TO APPLY FOR ADOPTION OF LOCAL
BILL

Notice is hereby given of intention to apply for the adoption of a local bill in the present (1955 regular session) of the Legislature of Alabama, which bill to provide in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Cherokee County.

Section 2. The County governing body of Cherokee County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To exercise, subject to the approval of the State Highway Department the right of eminent domain for the purpose of acquiring right-of-way for the establishment and changing county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Cherokee County shall have no authority;

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

(b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

(c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Cherokee County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Cherokee County shall pay over to the State Highway Department all funds collected or received by them as taxes, or otherwise, including the motor vehicle license tax allocated to the county, from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Cherokee County subject to the provisions of this Act; provided that the provisions of this Act shall have no application to any monies now constituting the Road, Bridge and Building Fund of Cherokee County nor to any amounts hereafter received by such county from the levy

for such purposes authorized by Section 215 of the Constitution, and same shall continue to be received, maintained and expended subject to the control and direction of the governing body of such county in the manner authorized by law.

Section 5. Persons employed by Cherokee County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after January 1, 1957.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Cherokee County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Cherokee County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) hereof in the event the funds paid over to the State Highway Department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Cherokee County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Cherokee County for road and bridge work from any source not specifically excepted under the terms of this Act. The State Highway Department shall retain, and the appropriate State Officials are authorized to pay over to it, any funds or amounts to which Cherokee County shall be entitled to from the proceeds of the State gasoline tax, the motor vehicle license tax allocated to the county, or any other State tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Cherokee County is entitled, received by the State Highway Department for road work in Cherokee County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Cherokee County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. At the time the governing body of the County transfers to the Department county-owned equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the County and by the Department, and in the event this Act is repealed or becomes inoperative, the department shall return to the County road equipment, machinery, and supplies of like kind and equal value.

Section 10. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are hereby declared to be severable in nature and should any Section or other portion thereof be

declared unconstitutional or invalid such adjudication shall not affect the portion or portions of said Act remaining.

Section 12. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

J. B. Burkhalter, Representative
Cherokee County, Alabama.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Venice Camp, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Notice of intention to apply for adoption of local bill as published in said newspaper once a week for four consecutive weeks, beginning on the sixth day of July, 1955, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 28th day of July, 1955.

VENICE CAMP,
Notary Public.

Also:

By Messrs. Hawkins and Hanby:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

By Messrs. Hawkins and Hanby:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Also:

By Messrs. Nolen, Goodwyn, Hall and Dawkins:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and

not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Also:

By Messrs. Selman and Shumate:

H. 827. Relating to counties having a population of not less than 63,750 nor more than 72,750: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

By Messrs. Nettles and Oakley:

H. 829. To propose an amendment to the Constitution of Alabama relating to the filling of vacancies in certain county offices in Wilcox County.

Also:

By Mr. Kelly:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Also:

By Messrs. Meeks, Kaul, Edwards (Jefferson), Perry, Vacca, Nice and Lackey:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Also:

By Messrs. Lackey, Nice, Kaul, Meeks, Perry, Edwards (Jefferson) and Vacca:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

Mr. President:

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B's. 755, 781, 808, 811, 813, 823, 827, 829, 830, 817 and 819. To the Committee on Local Legislation.

(The above bills, H. B's. 829 and 830, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 191. To amend Section 1 of Act No. 86, approved June, 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate amendment to the bill, H. 101. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE

To the House of Representatives
To the Senate

Your Conference Committee heretofore appointed on the disagreement of the two Houses on the Senate amendment to the bill, H. 101, begs to report as follows:

1. That the Senate recede from its amendment and that both Houses then pass said bill.

T. K. SELMAN

W. E. ODEN

J. H. KELLY

Conferees on the part of the House

H. G. ALLEN

E. O. EDDINS

E. F. ROBERTS

Conferees on the part of the Senate

And said bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Allen, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 101, the title of which, and said Conference report, is set out in the foregoing Message from the House.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Shelton
Bradford	Engelhardt	Little	Skidmore
Calvin	Flowers	Metcalf	Smith
Coleman	Givhan	Moses	Tate
Cooper	Goodwin	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Randolph)

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And said Bill, as thus amended by the Conference report, was again read at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Shelton
Bradford	Engelhardt	Little	Skidmore
Calvin	Flowers	Metcalf	Smith
Coleman	Givhan	Moses	Tate
Cooper	Goodwin	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

I have been directed to transmit to the Senate the following, to-wit, House Resolution 61, which was this day adopted by the House:

By Messrs. Brassell, Kelly, Hawkins, Mathison, Fite, Meeks, Wood and Adams:

H. R. 61. Whereas there has been considerable delay by the Senate of Alabama in acting upon House bills sent to the Senate, some of which House bills have been pending on the Senate calendar since the second week of the session, and

Whereas only eight legislative days remain for the consideration and passage of these House bills, and

Whereas the House of Representatives has given due consideration to Senate bills sent to the House, and

Whereas the House of Representatives, being a coordinate branch of the Legislature, is entitled to the same consideration by the Senate of bills approved by the committees and members of the House of Representatives; now therefore

Be it resolved by the House of Representatives: That the House of Representatives hereby calls upon the Senate to take note of the few days remaining in this session, and requests the Senate to act upon the House bills sent to the Senate, the passage of some of which House bills has been delayed since early in the session, so as to insure the passage of the proposed legislation embodied in the bills already approved by the members and the committees of the House of Representatives.

Be it resolved further, that a copy of this resolution be transmitted by the Clerk of the House to the Senate as a message from the House.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The foregoing communication from the House was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 191. To amend Section 1 of Act No. 86, approved June, 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Managers of the Partlow State School for Mental Deficients.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

AUGUST 9, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you, for your confirmation, the name of the Board of Managers of the Partlow State School for Mental Deficients elected since the preceding meeting of the Senate, as certified to me by Dr. J. S. Tarwater, Superintendent of the Alabama State Hospitals:

1. Mrs. Mary Emily Searcy, Tuscaloosa, Alabama, elected November 7, 1953 to fill the unexpired term of Dr. Agnes Ellen Harris, Tuscaloosa, Alabama, deceased, the term expiring December 31, 1956.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Skidmore, the Senate confirmed the appointment of Mrs. Mary Emily Searcy, Board of Managers, Partlow State School, which said appointment is set out in the foregoing Message from the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

AUGUST 9, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Colonel GEORGE R. DOSTER, JR., as Brigadier General, Alabama Air National Guard.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate confirmed the appointment of Colonel George R. Doster, Jr., as Brigadier General, Alabama Air National Guard, which said appointment is set out in the foregoing Message from the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama Insane Hospitals.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary

AUGUST 9, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you, for your confirmation, the names of the Trustees of the Alabama State Hospitals, who have been elected since the preceding meeting of the Senate, as certified to me by Dr. J. S. Tarwater, Superintendent of the Alabama State Hospitals:

1. Mr. J. Clarence Inzer, Gadsden, Alabama, elected October 29, 1953 for a term of seven (7) years beginning January 1, 1954, to succeed himself, previous term expiring December 31, 1953.

2. Dr. Grady O. Segrest, Mobile, Alabama, elected October 29, 1953 to fill the vacancy caused by the resignation of Dr. J. D. Perdue, Mobile, Alabama, said term to expire December 31, 1956.

3. Dr. J. Paul Jones, Camden, Alabama, elected October 29, 1953 to fill the vacancy caused by the resignation of Dr. J. Mac Bell, Mobile, Alabama, said term to expire December 31, 1958.

4. Mr. John D. McQueen, Tuscaloosa, Alabama, elected November 4, 1954 for a term of seven (7) years beginning January 1, 1955, to succeed himself, previous term expiring December 31, 1954.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Senate confirmed the appointment of Honorable J. Clarence Inzer, Dr. Grady O. Segrest, Dr. J. Paul Jones and Honorable John D. McQueen, members of the Board of Trustees of the Alabama State Hospitals, which appointment is set out in the foregoing Message from the Governor.

MOTION TO RECESS LOST

At 12:45 P.M., Mr. Newton moved that the Senate take a recess until 2:15 this afternoon, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Flowers	Leonard	Roberts
Allen	Goodwin	Little	Van Antwerp
Cantrell	Grisham	Moses	Vann
Dyar	Lamberth	Newton	Yarbrough (Randolph)

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Nays:

Messrs.:	Cooper	Givhan	Shelton
Boutwell	Davis (Lowndes)	Jones	Skidmore
Bradford	Davis (Pickens)	Metcalf	Smith
Calvin	Eddins	Reeves	Yarbrough (Autauga)
Coleman	Engelhardt	Robison	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Davis, Martin, and Dement:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Also:

By Messrs. Callahan, Ramey and deGraffenried:

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Also:

By Messrs. Vacca, Brown (Lee), Stokes, Goodwyn, Meeks, Speaks, Callahan, Harrison, and Hodges:

H. 672. To amend Section 5 of Title 27 of the Code of Alabama 1940, so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate to an adopted child from the adopting parent or parents and their natural and adopted kindred and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate of an adopted child to the adopting parent or parents and their natural and adopted kindred upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

Also:

By Messrs. Kaul, Meeks, Lackey, Nice, Perry, Vacca, and Edwards (Jefferson):

H. 818. TO provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

Also:

By Messrs. Callahan and deGraffenried:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

HB 336—to the Committee on Public Roads and Highways

HB 166—to the Committee on Finance and Taxation

HB 672—to the Committee on Judiciary

HB's 818 and 585—to the Committee on Local Legislation

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate Standing Committees, as follows:

By Mr. Boutwell:

S.B. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN THAT THE UNDERSIGNED BILL WILL BE INTRODUCED IN THE LEGISLATURE OF ALABAMA AT PRESENT SESSION 1955.

A BILL
TO BE ENTITLED
AN ACT

To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Circuit Solicitor of the Tenth Judicial Circuit of Alabama shall in addition to the salary now being paid by the State be paid a supplemental salary of Five Thousand (\$5,000.00) Dollars per year by Jefferson County, Alabama, from the general funds of said county, payable as the salaries of county officers are paid.

Section 2. This act shall go into effect commencing with the next term of the Circuit Solicitor of the Tenth Judicial Circuit of Alabama.

Section 3. All laws or parts of laws, wherein the Solicitor of the Tenth Judicial Circuit of Alabama is drawing additional salary from Jefferson County, Alabama, are hereby repealed when this act goes into effect.

May 7-14-21-28, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Personally appeared before me, a notary public, in and for the said State and County, A. H. CATHER, who, after being duly cautioned and

sworn, deposeth and says as follows: That he is the Editor and Manager of THE SOUTHERN LABOR REVIEW, a weekly newspaper, published in the State of Alabama, County of Jefferson, City of Birmingham, which said newspaper is one of general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of the advertisement, and that a legal notice was published for Four (4) consecutive weeks in the above named paper; and that the said legal notice was published on the dates of (May 7-14-21-28, 1955).

copy of which advertisement is hereto attached.

A. H. CATHER,
Editor and Manager.

J. C. SHEEHAN, Notary Public.

This the 30th day of May, 1955.

By Mr. Reeves:

S.B. 342. To amend Section 1 of Act No. 131, S.9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Committee on Judiciary.

By Mr. Robison:

S.B. 343: To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries:

Beginning at the southeast corner of the northwest quarter of Sec. 3, T16N, R15E, Montgomery County, Ala., thence north along the east line of said northwest quarter of Sec. 3 to the north line of the south half of the northwest quarter of Sec. 3, thence west along the north line of the south half of the northwest quarter of Sec. 3, to the west line of Sec. 3, thence north along the west line of Sec. 3 to the northeast corner of Sec.

4, T16N, R1SE, thence west along the north line of said Sec. 4, to the northwest corner of the northeast quarter of Sec. 4, thence south along the west line of said northeast quarter of Sec. 4, to the southwest corner of said northeast quarter of Sec. 4, thence east along the south line of the northeast quarter of Sec. 4 and the south line of the northwest quarter of Sec. 3, T16N, R1SE, to the point of beginning.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 1, 1955.
Montgomery Examiner

July 12, 19, 26 and Aug. 2, 1955.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Lucille Raffels, a Notary Public, in and for said County and State personally appeared and states Charles G. Dobbins, Publisher, for "The Montgomery Examiner," publishers of The Montgomery Examiner, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached is a true copy of a "Legal Notice" of the City of Montgomery, Alabama, which appeared in the regular editions of the said newspaper published in said City and County of Montgomery, on the following dates:

July 12, 19, 26 and August 2, 1955.

CHARLES DOBBINS.

Sworn to and subscribed before me this the 2nd day of August, 1955.

LUCILLE RAFFELS, Notary Public.

By Mr. Robison:

S. B. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Committee on Local Legislation.

By Mr. Newton:

S. B. 345. To amend further Section 460 of Title 51, Code of Alabama (1940), which relates to the license fee payable by attorneys.

Committee on Judiciary.

By Mr. Newton:

S.B. 346. Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF WALKER**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Neither the circuit, county, or deputy solicitor of Walker County or the 14th Judicial Circuit shall act for the State or county in any case or proceeding now pending or hereafter instituted in any court in the county in which he is pecuniarily interested, or in which he is related to the defendant or the defendant's attorney or the law partner of defendant's attorney within the fifth degree of consanguinity or affinity. In case of his disqualification as herein prescribed, he shall notify the court of such interest or relationship, and the court shall appoint a competent attorney to act in his place, in the manner provided in Section 235 of Title 13, Code of Alabama (1940). It shall be unlawful for any circuit, county, or deputy solicitor to act in any case in which he is disqualified as prescribed in this Act, and upon conviction of violating this Act, he shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

**STATE OF ALABAMA,
COUNTY OF WALKER.**

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Publisher of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the A Bill To Be Entitled An Act who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times for 4 consecutive weeks, namely; July 14, 21, 28 and August 4, 1955.

WALKER COUNTY TIMES,
By W. I. Dove, Publisher.

SWORN TO AND SUBSCRIBED BEFORE ME,

This 8th day of August, 1955.

Mrs. Annie Davis, Notary Public.

By Mr. Newton:

S. B. 347. Relating to Walker County: To disqualify judges in certain cases.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: To disqualify judges in certain cases.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No judge of any court, county commissioner, or justice, shall sit in any cause or proceeding now pending or hereafter instituted in Walker County in which such Judge, Commissioner, or Justice is interested, or in which he is related to either party, or to his or their attorney, or the law partner of such attorney, within the fifth degree of consanguinity or affinity, whether such attorney be employed upon a contingency or otherwise and with or without lien, or in which he is financially indebted to either party or an attorney of either party, whether such attorney be employed upon a contingency or otherwise and with or without a lien, or in which he has been of counsel, or in which is called in question the validity of any judgement or judicial proceeding in which he was of counsel, or the validity or construction of any instrument or paper prepared or signed by him as counsel or attorney, without the consent of the parties entered of record, or put in writing, if the court is not of record, and said disqualification shall not be deemed to have been waived in any proceeding now pending or hereafter instituted without said written consent being entered of record.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA,
COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Publisher of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the A Bill to be Entitled An Act who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times for 4 consecutive weeks, namely: July 14, 21, 28 and August 4, 1955.

WALKER COUNTY TIMES,
By W. I. DOVE, Publisher.

SWORN TO AND SUBSCRIBED BEFORE ME,

This 8th day of August, 1955.

Mrs. Annie Davis, Notary Public.

RECESS

At 1 o'clock P.M., on motion of Mr. Calvin, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION
TWENTY-NINTH LEGISLATIVE DAY
TUESDAY, AUGUST 9, 1955

The Senate reassembled at 2:30 P.M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Robison	

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced; severally read one time and referred to appropriate standing committees, as follows:

By Mr. Metcalf:

S. B. 348. To amend further Section 102 of Title 29, Code of Alabama (1940).

COMMITTEE ON JUDICIARY.

By Mr. Yarbrough (Randolph):

S. B. 349. Relating to insurance; regulating further the taking of applications for, and the issuance of receipts and individual policies of health, accident, accident and health, hospitalization and medical insurance.

COMMITTEE ON INSURANCE.

By Mr. Metcalf:

S. B. 350. To make it unlawful for any official, employee, or agent of any bank to disclose the balance in the account of any depositor in the bank, except upon express authorization by the depositor or upon an order of a court of competent jurisdiction; to prescribe penalties for violation of the Act; and to provide that the depositor may sue and recover damages on account of such unlawful disclosure.

COMMITTEE ON BANKING.

By Mr. Yarbrough (Autauga):

S. B. 351. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

COMMITTEE ON FINANCE AND TAXATION.

By Mr. Allen:

S. B. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

COMMITTEE ON LOCAL LEGISLATION.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That portion of the State Gasoline Excise Tax levied by Section 647 of Title 51 of the Code of Alabama of 1940, as amended, that may be apportioned for distribution to Winston County pursuant to the provisions of Section 657 of said Title 51, as amended (being one-third of the total portion of said tax apportioned for distribution to said county by Sections 655 and 657 of said Title 51, as amended), shall be paid into the State Treasury to the credit of the State Highway Department for the account of said county, and shall be applied by the State Highway Department, upon the order of the governing body of said county, for the following purposes only: (a) payment of said county's share of the cost of constructing roads in said county pursuant to the provisions of any contract between the State Highway Department, acting through the Bureau of County Aid, and said county heretofore or hereafter entered into pursuant to the provisions of the Farm to Market Road Act of 1943 (being Act No. 329 adopted at the 1943 Regular Session of the Legislature of Alabama), as heretofore and hereafter amended; and (b) for payment of the principal of and interest on any securities that may at any time be issued by said county, pursuant to the provisions of general law, to procure funds for payment of said county's share of the construction costs under any such contract between the State Highway Department, acting, through the Bureau of County Aid, and said county.

Section 2. This act shall be construed so as not to impair the obligation of said county with respect to any securities of said county, issued by it prior to the adoption of this act and in accordance with the provisions of general law, that may be payable from or secured to any extent by that portion of the said State Gasoline Excise Tax to be distributed to said county under the provisions of said Section 657 of Title 51 of the Code of Alabama of 1940, as amended; provided, however, that, in making orders or other provisions for payment of the principal of and interest on any securities issued by said county prior to the adoption of this act and payable from or secured by that portion of said tax that may be distributed to said county under the provisions of Sections 655 and 657 of Title 51 of the Code of Alabama of 1940, as amended,

said county shall first exhaust that portion of said tax that may be distributed to it pursuant to the provisions of said Section 655 before applying, or ordering to be applied, for such purpose any of the proceeds of said tax that may be apportioned to it under the provisions of said Section 657.

Section 3. This act shall become effective on the first day of the month succeeding the month during which it shall be signed by the Governor or shall otherwise become law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA, WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,
Notary Public.

By Mr. Allen:

S. B. 353. To impose in Winston County, Alabama, an excise tax of one cent (1¢) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and

bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
NOTICE

Notice is hereby given that it is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naphtha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines: to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax: to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue: to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection: to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Definitions. Whenever used in this act, the terms defined in this section shall have the respective meaning set forth herein. "Gasoline" means gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines: provided, however, that nothing in this act shall be held to apply to those products known commercially as "kerosene oil", "fuel oil", or "crude oil" when used for lighting, heating or industrial purposes. "The county" means Winston County, Alabama. "State Department of Revenue" means the Department of Revenue of the State of Alabama.

"Person" means every person, corporation, co-partnership, company, county, municipal corporation, school board, agency of the state, other agency, or association, incorporated or otherwise, singular or plural. "Distributor" means any person who shall engage in the selling of gasoline in the county by wholesale domestic trade, but shall not apply to any transaction by such person in interstate commerce. "Retail dealer" means (a) any person herein defined as a distributor who is also engaged in the sale of gasoline products at any place in the county in broken quantities, and (b) any person who is engaged in the sale of gasoline at any place in the county in broken quantities. "Refiner" means any person who manufactures, distills, blends, compounds or mixes any one or more products in the county in the production of gasoline. "Storer" means any person who ships or causes to be shipped or receives gasoline into the county and who stores the same in any quantities and withdraws or uses the same for any purpose. "Uses" means any person who uses or consumes gasoline in the county in any manner or for any purpose; provided, however, that the word "user" shall not include any refiner who has a refinery or refineries located in the county, and who uses gasoline in the manufacturing or refining process, or any person who holds a federal permit to blend motor fuels under the federal law and statutes, and who pays the federal excise tax on such motor fuels directly to the federal government, when such person uses gasoline in this state in such blending process. "The tax" means the excise tax herein provided for.

Section 2. Levy of the Tax. Every distributor, refiner, retail dealer, storer, or user of gasoline in the county shall collect and pay over to the State Department of Revenue, for the use of the county, an excise tax of one cent per gallon upon the selling, using, or consuming, distributing, storing, or withdrawing from storage in the county, for any use, of gasoline; provided, that the sale of gasoline in interstate commerce and the sale of gasoline to the United States or direct to the State of Alabama shall not be subject to the tax; provided further, that when the tax shall have paid by a distributor, refiner, retail dealer, storer, or user with respect to the selling, using or consuming, distributing, storing, or withdrawing from storage of any gasoline, such payment shall be sufficient and no additional tax shall be collected and paid with respect to such gasoline, it being the intention of this act that the tax shall be paid only once. Every distributor, refiner, retail dealer, or storer of gasoline shall add the amount of the tax to the price of gasoline, it being the purpose and intent of this provision that the tax shall be a levy upon the consumer with the distributor, refiner, retail dealer or storer, or licensed user acting merely as agent for the collection of the tax. The tax shall be collected by persons storing gasoline or distributing the same or allowing the same to be withdrawn from storage, whether such withdrawals be for sale or other use; provided, that sellers of gasoline paying the tax shall pay the same computed on the basis of their sales and use of gasoline as herein required; refiners, storers and distributors shall compute and pay the tax on the basis of their withdrawals from storage or distributions of gasoline; and users shall compute and pay the tax on the basis of the amount of gasoline used or consumed in the county.

Section 3. This tax cumulative to all other taxes. The tax shall be in addition to any and all excise or other taxes imposed by the State of Alabama or any agency or subdivision thereof with respect to gasoline or with respect to the privilege of selling, using or consuming, distributing, storing or withdrawing from storage of gasoline.

Section 4. Withdrawals for Resale or Use Outside the County. Every distributor, refiner, storer, or retail dealer shall be exempted from collection and payment of the tax with respect to withdrawals

from storage which are for the purpose of sale to a reseller located outside the county or for the purpose of reshipment to a point outside the county for delivery to and use by a consumer residing outside the county; provided, however, that to obtain such exemption any distributor, storer or retail dealer entitled to such exemption shall furnish to the State Department of Revenue a sworn written statement on the 20th day of each month showing a full, true and accurate total of all sales and shipments made during the preceding calendar month to resellers or consumers located outside said county.

Section 5. United States Certificates of Exemption. The State Department of Revenue is hereby authorized to adopt or approve forms of certificates of exemption for use by the United States in purchasing within the county gasoline that is paid for by the United States. Any person in reporting and paying the tax to the State Department of Revenue may deduct the number of gallons of gasoline sold to the United States as shown by any such certificate of exemption duly executed by the United States and filed with such report; and the State Department of Revenue is authorized to adopt rules and regulations with respect to the issuance and use of such certificates.

Section 6. Monthly Reports and Payments. On or before the 20th day of each month following the month during which the tax shall become effective, every distributor, refiner, retail dealer, storer, or user shall render to the governing body on forms prescribed by the State Department of Revenue a true and correct statement of all sales, use, distributions, and withdrawals from storage of gasoline made during the then next preceding month, shall furnish to the State Department of Revenue such other reasonable information as the State Department of Revenue may require upon blanks to be formulated and furnished by the State Department of Revenue, and at the time of making such statement shall pay over to the State Department of Revenue an amount of money equal to the tax. The statement herein required to be made by the distributor, refiner, storer, retail dealer, or user shall be sworn to before some officer authorized to administer oaths, and any false statements so sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

Section 7. Maintenance of Records. All distributors, refiners, storers, and retail dealers shall keep for not less than three years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sales, distributions or withdrawals from storage of gasoline made in the county and covered by this act.

Section 8. Report of Address of Distributor, Storer, or Retail Dealer. Within thirty days after the effective date of this act, every distributor, refiner, storer, or retail dealer engaged in the sale, distribution, storage or withdrawal from storage of gasoline in the county shall make a report to the State Department of Revenue on blanks furnished by the State Department of Revenue, showing the place and post office address within the county at which such person is engaged in distributing, selling, storing or withdrawing from storage gasoline. No person shall thereafter become a distributor, refiner, storer, or retail dealer of gasoline in the county until he shall have made such a report to the governing body. If any distributor, refiner, storer, or retail dealer shall, subsequent to making such report, move his place of business from one business address to another, such distributor, refiner, storer, or retail dealer shall within thirty days thereafter notify the State Department of Revenue of such removal, giving the former place and post office address and also the place and post office address to which his place

of business has been removed. The information contained in all reports and notices made pursuant to the provisions of this section shall be recorded by the State Department of Revenue in a book kept for that purpose.

Section 9. Penalty for Failure to Make Reports and Keep Records. If any distributor, refiner, storer, retail dealer, or user of gasoline in the county shall fail to make any report or statement required by this act or shall fail to comply with any regulation adopted by the State Department of Revenue with respect to the collection of the tax within the time required for making any such report or statement or complying with any such regulation, or shall fail to pay the tax within the time fixed for the payment thereof, such distributor, refiner, storer, retail dealer, or user shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50.00 or more than \$3000.00 for each offense.

Section 10. Enforcement of this Act. It shall be the duty of the State Department of Revenue to enforce the provisions of this act, and the State Department of Revenue shall have the right itself or by its agents to examine the books, records, and accounts of every distributor, refiner, storer, retail dealer, or user; shall have the power to make any and all rules and regulations necessary and proper for the collection of the tax; and shall have all powers and remedies for collection of the tax that are conferred by law upon the State Department of Revenue with respect to collection of the State Gasoline Excise Tax.

Section 11. Failure to Make Monthly Statements and Payments. If any distributor, refiner, storer, retail dealer, or user shall fail to pay over the tax to the State Department of Revenue, the amount of the tax required by this act to be paid over by such distributor, refiner, storer, retail dealer, or user, shall be deemed delinquent within the meaning of this act, and there shall be added to the amount thereof a penalty of 25 per-cent; provided, that if in the opinion of the State Department of Revenue a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. If any distributor, refiner, storer, retail dealer, or user shall fail to make any monthly statement required herein, at the time and in the manner herein provided, or shall make a statement which is in anywise inaccurate, the State Department of Revenue is hereby authorized and empowered to make a return for such distributor, storer, retail dealer, or user upon such information as the State Department of Revenue may reasonably obtain and shall then add to the delinquent tax the penalty prescribed by this section. If any person shall be delinquent in the payment of the tax, the State Department of Revenue shall issue execution for the collection thereof directed to any sheriff of the State of Alabama, who shall proceed to levy upon and sell the property of the person who is so delinquent in payment of the tax, all in the manner now provided by law for the collection, upon delinquency, of the State Gasoline Excise Tax. The tax and any penalty added thereto under the provisions of this section shall be held as a debt payable to the State Department of Revenue, for the use of the county, by the person required hereunder to pay over the tax, and the tax and any such penalty shall be a lien upon the property in said county and elsewhere in the State of Alabama of the person who is required hereunder to pay over the tax.

Section 12. Effect of Acceptance of Less Than the Amount Due. The acceptance of any amount paid for the tax shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due. In the event of payment of an amount in excess of the amount due the State Department of Revenue may credit such excess upon the amount of tax due for any subsequent monthly period, or such excess may be refunded

pursuant to the provisions of Section 913 of Title 51 of the Code of Alabama of 1940, as amended; provided, however, that no refund shall be allowed by means of such credit unless made within three years from the date of payment of such excess.

Section 13. Limitation of Actions. All actions by the State Department of Revenue for the recovery of the tax, or any part thereof, shall be commenced within a period of three years from the date of the filing of the return with respect to the tax sought to be recovered.

Section 14. Restraint of Violators of This Act. Any distributor, refiner, storer, retail dealer, or user who shall violate any provision of this act or shall fail to comply with any rule or regulation promulgated hereunder may be restrained, and proper prosecution therefor instituted in the name of the State of Alabama by its Attorney General or by such other counsel as the State Department of Revenue shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the distribution, sale, storage, or withdrawal from storage of which is subject to the provisions of this act, until such distributor, refiner, storer, retail dealer, or user shall have complied with the provisions of this act.

Section 15. Use of Proceeds of the Tax. The total cost of collecting the tax shall be deemed to be an amount which bears the same ratio to the total cost of collecting the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) collected by the State Department of Revenue, that the total amount of collections from the tax bears to the total amount of the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) that are collected by the State Department of Revenue. An amount equal to the cost of collecting the tax shall be deducted monthly from the proceeds of the tax and allowed to the State Department of Revenue as compensation for the collection of the tax. The balance of the proceeds of the tax remaining each month shall be certified by the State Department of Revenue to the State Treasurer as belonging to the county, and on or before the tenth day of each month following the month in which collected the balance of such proceeds shall be paid by state warrant to the treasurer or depository of the county. All moneys received by the treasurer or depository of the county under the provisions of this act shall be deposited by such treasurer or depository in a separate fund or account to be designated "Winston County One Cent Gasoline Tax Fund." The moneys in said fund shall be used exclusively for the construction, reconstruction, maintenance, and repair of public highways and bridges in the county, including the payment of the principal of and the interest on any securities and other obligations that may be issued or incurred, in accordance with the provisions of general law, by the county for the purpose of financing any such construction or reconstruction or refunding any obligations issued for such construction or reconstruction.

Section 16. Severability. If any section, clause, provision or portion of this act shall be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect any other section, clause, or provision of this act which is not in and of itself unconstitutional.

Section 17. Effective Date. This act shall become effective at 12:01 A.M. on the month following its approval by the Governor or its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and

for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication here-to attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,
Notary Public.

By Mr. Allen:

S.B. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
NOTICE

Notice is hereby given that it is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Winston County, Alabama, is hereby authorized and empowered to sublease to any municipality in Winston County or to any public corporation in Winston County any space not needed by it in a building or structure at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Section 2. This act shall take effect upon its approval by the Governor or upon its otherwise becoming law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,
Notary Public.

REPORTS OF COMMITTEES

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins et al (with amendment):

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lamberth:

S. 333. To amend Act No. 712, H. 48, approved September 5, 1951 (Acts of Alabama, Regular Session, 1951, p. 1250), entitled "An Act To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose."

By Mr. Metcalf:

S. 310. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

By Messrs. Boutwell, Robison and Reeves:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Vann (with notice and proof):

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

By Mr. Calvin (with notice and proof):

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Boutwell:

S. 339. To amend Section 81, Title 61, Code of Alabama, 1940, as amended by Act No. 356 of the Regular Session of the Legislature of 1945, approved July 6, 1945, and as amended by Act No. 635 of the Regular Session of the Legislature of 1951, approved September 4, 1951.

By Mr. Oden (with notice and proof):

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

By Mr. Grouby (with notice and proof):

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

By Mr. Huddleston (with notice and proof):

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

By Mr. Branyon:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Gist and Money (with notice and proof):

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

By Messrs. Kaul et al (with notice and proof):

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

By Messrs. Lackey et al:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Ward and Brown (Lee) (with substitute):

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

The above Bill was read a second time at length as required by the Constitution.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dement:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Callahan and deGraffenried (with notice and proof):

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Messrs. Callahan and deGraffenried.

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

By Messrs. Selman and Shumate:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

By Mr. Davis:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Hall and Goodwyn:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Newton:

S. 335. To amend Section 672 of Title 2 of the Code of Alabama of 1940 relating to persons engaged in professional work or services pertaining to entomological work, pathological work, horticultural and floricultural work and tree surgery.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reeves (with amendment):

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Roberts and Skidmore (with amendment):

S. 288. To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for violation of this act.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the motion of Mr. Cooper that the Senate reconsider the vote by which it passed the Bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

As amended.

On motion of Mr. Cantrell, the motion to reconsider was laid on the table.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Dyar	Lamberth	Roberts
Allen	Eddins	Leonard	Robison
Boutwell	Flowers	Metcalf	Smith
Cantrell	Goodwin	Moses	Van Antwerp
Davis (Lowndes)	Grisham	Reeves	Vann
Davis (Pickens)	Jones		

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Nays:

Messrs.:	Cooper	Skidmore	Yarbrough (Autauga)
Calvin	Little	Tate	Yarbrough (Randolph)
Coleman	Shelton		

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NOTICE IN WRITING

Mr. Davis (Pickens) offered the following Notice in Writing, to-wit:

"Notice is hereby given in accordance with Rule 53, that on the next legislative day, after the call of select committees, a motion will be made to take the bill, H. B. 377, from the Adverse Calendar and have the same read a second time and placed on the regular calendar."

"Davis (Pickens)".

RESOLUTIONS

Mr. Davis (Lowndes) offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. Resolved by the Senate of Alabama, the House of Representatives concurring, that the bill, H. B. 296, which has passed both houses, be designated and known as "The Engelhardt, Boutwell, Richardson Bill."

And on motion of Mr. Davis (Lowndes), the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 63. BE IT RESOLVED by the Senate that the following shall be the special, paramount and continuing order of business today on the call of the calendar, superseding all and any prior special, paramount and continuing orders of business:

BILL	PAGE
1. H. 683	69
1.(a) H. 87	68
2. H. 217	51
3. H. 301	5

4. S. 177	3
5. H. 424	3
6. H. 41	50
7. S. 180	33
8. H. 123	18
9. H. 122	18
10. H. 302	6
11. H. 304	6
12. H. 303	54
13. H. 111	32
14. H. 253	39
15. S. 178	27
16. S. 201	40
17. S. 265	41
18. S. 293	53
19. S. 214	48
20. S. 107	43
21. S. 297	41
22. S. 189	7
23. S. 196	28
24. S. 90	55
25. S. 301	56
26. H. 164	38
27. S. 21	56
28. S. 306	57
29. H. 295	48
30. S. 286	48
31. H. 774	69

Mr. Calvin offered the following amendment to the Resolution, to-wit:

Amend Senate Resolution 63 by placing S. 110 between H. B. 217 and H. B. 301 and 2 between 51 and 5 under the column designated page.

Mr. Van Antwerp moved that said amendment be laid on the table, which resulted in a tie vote.

Yeas 17; Nays 17.

Yeas:

Messrs.:	Flowers	Leonard	Roberts
Allen	Goodwin	Metcalf	Skidmore
Cantrell	Grisham	Moses	Van Antwerp
Cooper	Jones	Newton	Yarbrough (Randolph)
Dyar	Lamberth		

Nays:

Messrs.:	Davis (Lowndes)	Little	Smith
Boutwell	Davis (Pickens)	Reeves	Tate
Bradford	Eddins	Robison	Vann
Calvin	Engelhardt	Shelton	Yarbrough (Autauga)
Coleman	Givhan		

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The President and Presiding Officer voted "Nay"; therefore, the motion to table was lost.

The question recurred on the amendment offered by Mr. Calvin to the Resolution, and said amendment was then adopted.

Mr. Boutwell then offered the following amendment to the Resolution, as amended, to-wit:

AMENDMENT TO S. R. 63

Amend S. R. 63 by adding House Bill 215 on page 51 and House Bill 214 on page 51 immediately following House Bill 217 on page 51 and shall be placed on special order prior to S. B. 110.

And said amendment was then adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

BILLS ON THIRD READING**The Bill:**

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Robison	

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UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the Bill:

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Mr. Cantrell offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 110

Amend H. B. 110 by striking therefrom Section 3 and substituting therefor the following:

"Section 3. This Act shall not become effective until and unless the license tax for trucks and trailers covered by this act, and the mileage tax for trucks covered by this act, shall have been increased by at least 25 per cent above the rate in effect August 1, 1955."

On motion of Mr. Bradford, said amendment was laid on the table.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Little	Smith
Boutwell	Engelhardt	Metcalf	Tate
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)

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Nays:

Messrs.:	Coleman	Goodwin	Skidmore
Cantrell	Dyar		

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And said Bill was then read a third time at length and passed.

Yeas 27; Nays 4.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Shelton
Allen	Eddins	Little	Smith
Boutwell	Engelhardt	Metcalf	Tate
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	Lamberth	Robison	Yarbrough (Randolph)

—27

Nays: Messrs. Coleman, Dyar, Goodwin and Skidmore.

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PAIRED VOTE ANNOUNCED

Mr. Jones announced that he was paired with Mr. Davis (Pickens) on this vote; Mr. Davis, if present, would vote "Yea", and he, Mr. Jones, would vote "Nay".

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge

to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Davis, Wood and Hare.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Van Antwerp, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two houses on the Senate amendment to the Bill, H. B. 98, the title of which is set out in the foregoing Message from the House.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Coleman, Cantrell and Eddins.

BILLS ON THIRD READING RESUMED

The Bill:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the

grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to prohibit the state, the highway department, certain authorities, counties and incorporated municipalities, and any other political subdivisions of the state from constructing a competing facility to any tunnel project constructed under the provisions of this act, except under certain conditions; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend Section 8 of House Bill No. 155 by changing clause (7) of the said Section 8 to read as follows:

"(7) to acquire, construct, own, enlarge, extend, improve, maintain, repair and operate one or more additional tunnel projects without regard to any change in the municipalities entitled to representation on the board under the provisions of subsection (b) of Section 6 of this act or in the municipality whose governing body is entitled to the appointment of a public member thereof that would have resulted had the additional tunnel project so acquired or constructed been the initial tunnel project constructed by the authority, provided that no such additional tunnel project shall be so acquired or constructed unless one of its underground entrances is within one and one-half miles of the tunnel project constructed pursuant to the power granted in the preceding clause (6) of this section;"

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Little	Smith
Calvin	Flowers	Metcalf	Vann
Cooper	Goodwin	Moses	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend subsection (b) of Section 12 of House Bill No. 155 by changing the first sentence of said subsection to read as follows:

"(b) Violations of such rules and regulations shall be a misdemeanor, punishable by a fine of not less than \$10 nor more than \$500 and, at the discretion of the judge trying the case, also by sentence to hard labor for the county for a term not to exceed six months."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Flowers	Little	Skidmore
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend Section 12 of House Bill No. 155 by changing subsection (d) of said Section 12 to read as follows:

"(d) Any rules and regulations prescribed by the authority pursuant to the provisions of this Section 12 shall provide that any public police officer in the state, whether or not employed by the authority, shall, while in the performance of his official duties, be afforded ready

access to all property under the jurisdiction of the authority and transit through any tunnel project owned by the authority without the payment of tolls."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Boutwell	Davis (Pickens)	Lamberth	Smith
Calvin	Dyar	Leonard	Tate
Cantrell	Eddins	Newton	Yarbrough (Autauga)
Coleman	Flowers	Reeves	Yarbrough (Randolph)
Cooper	Grisham		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend Section 23 of House Bill No. 155 by changing said Section 23 to read as follows:

"Section 23. Competing Facilities. The authority may, in any indenture or resolution authorizing the issuance of bonds, limit or restrict its right and power to construct additional tunnel projects that might substantially divert traffic from or compete substantially with another tunnel project or projects acquired and constructed or proposed to be acquired and constructed by the authority. As an inducement to the acquisition, construction or improvement of any tunnel project by the authority, or as an inducement to the purchase of bonds of the authority by the purchasers thereof, the county and any incorporated municipality in the county are hereby separately authorized and empowered to enter into contracts whereby they may limit or restrict their respective rights to acquire or construct any toll vehicular facilities that might substantially divert traffic from or compete substantially with any tunnel project or projects acquired and constructed or proposed to be acquired and constructed by the authority. Any such contract may extend for a period of time beyond the respective terms of office of the members of the governing body of the county or municipality authorizing its execution. In consideration of the county or any incorporated municipality in the county so limiting or restricting their respective rights to acquire or construct competing toll vehicular facilities, the authority is empowered to permit free use of any of its tunnel projects to, or to grant reduced tolls for the use of any of its tunnel projects by, such officers and employees of the county or such incorporated municipality as the authority may deem advisable."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Boutwell	Dyar	Little	Skidmore
Calvin	Eddins	Moses	Tate
Cantrell	Flowers	Newton	Vann
Coleman	Givhan	Reeves	Yarbrough (Autauga)
Cooper	Jones		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend Section 3 of House Bill No. 155 by changing the last sentence of said Section 3 to read as follows:

"The formation of one or more authorities in the county shall not prevent the subsequent formation of another authority or authorities in the county."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Shelton
Boutwell	Engelhardt	Metcalf	Smith
Calvin	Flowers	Newton	Tate
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend Section 21 of House Bill No. 155 by changing said section to read as follows:

"Section 21. Prohibition Against Free Use of Tunnel Project. Exceptions. Except as provided in subsection (d) of Section 12 of this act and in any contract entered into pursuant to the provisions of Section 23 of this act, the authority shall permit no free use of any tunnel project with respect to which there is an outstanding pledge of revenues for payment of bonds."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

Mr. Boutwell then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 155

Amend the title of House Bill No. 155 by changing said title to read as follows:

"To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, construct-

ing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions or pursuant to certain contracts; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to authorize certain counties and municipalities to enter into contracts limiting their respective rights to construct competing toll vehicular facilities; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of

bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Skidmore
Boutwell	Engelhardt	Metcalf	Tate
Cantrell	Flowers	Moses	Van Antwerp
Coleman	Grisham	Newton	Yarbrough ^(Autauga)
Cooper	Jones	Robison	Yarbrough ^(Randolph)
Davis ^(Pickens)	Leonard		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Eddins	Metcalf	Smith
Calvin	Engelhardt	Moses	Tate
Cantrell	Goodwin	Roberts	Vann
Coleman	Grisham	Robison	Yarbrough ^(Randolph)
Davis ^(Pickens)	Jones		

—21

MOTION TO ADJOURN LOST

At 4:28 P. M., Mr. Tate moved that the Senate do now adjourn until Friday, August 12, 1955 at 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 26.

Yeas: Messrs. Coleman and Tate.

—2

Nays:

Messrs.:	Eddins	Little	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Van Antwerp
Bradford	Grisham	Newton	Vann
Calvin	Jones	Reeves	Yarbrough ^(Autauga)
Cantrell	Lamberth	Robison	Yarbrough ^(Randolph)
Davis ^(Lowndes)	Leonard	Shelton	

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RESOLUTION

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 12th, 1955.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Ways and Means Committee:

H. J. R. 63. BE IT RESOLVED by the House of Representatives, the Senate concurring. That the intent of the Legislature with regard to the appropriation of the Minimum Program Fund is as follows:

1. The distribution of the costs of the Minimum Program shall be as follow:

	1955-56	1956-57
a. Teachers' Salaries	\$70,170,450	\$72,328,550
b. Principals' Supplements	1,402,160	1,402,160
c. Sick Leave	742,560	742,560
d. Transportation	7,844,018	7,844,018
e. Other Current Expenses	8,286,870	8,286,870
f. Capital Outlay	1,955,087	1,955,087
g. Interest on Public School Corporation Loan and Board of Adjustment Awards	200,000	200,000
Total Cost	90,601,145	92,759,245
Less:		
Public School Fund	6,500,000	6,500,000
Local Effort	4,676,485	4,676,485
Total Minimum Program Fund	79,424,660	81,582,760

2. Teacher Units are to be calculated on the same basis as set out in the Regulations of the State Board of Education for the 1953-54 year, pertaining to the annual apportionment of the Minimum Program Fund.

3. Provisions have been made for an estimated increase in attendance by providing 500 new teachers over the number allotted in the Minimum Program for 1954-55 for 1955-56 and 700 new teachers for 1956-57. This allows 1,200 new teachers to be employed to take care of an estimated 37,000 increase in school attendance in the next biennium.

4. Funds have been appropriated to provide that the teachers will receive an average of at least \$600.00 per year increase over the salary allotments for 1954-55 plus the \$127.00 paid as a bonus. The State Board of Education shall make the following adjustments in Ranks I, II, III, IV, and V in the present State salary allotment schedule to provide this average increase:

Rank of Certificates	Allocation
I	\$3,660.00
II	3,160.00
III	2,550.00
IV	2,150.00
V	1,850.00

It is further provided that if the amounts for each of the fiscal years shown in 1-a above are not used, the amount not used shall revert to the Alabama Special Educational Trust Fund. The method used for calculating annual allotments for teachers' salaries shall be the same as in the Regulations of the State Board of Education for 1953-54.

5. The amount set out in 1-b for Principals' Supplements shall be allotted by the same method as provided in the Regulations of the State Board of Education for 1953-54.

6. Sick leave payments have been increased to a maximum of \$7.50 per day not to exceed \$742,560 per annum. The method for allotment

shall be the same as provided in the State Board of Education Regulations for 1953-54.

7. An increase of \$1,500,000 has been provided for transportation. The method of allotment shall be the same as provided in the Regulations of the State Board of Education for 1953-54.

8. Other Current Expenses shall be allotted on the same basis as provided in the Regulations of The State Board of Education for 1953-54. The actual amounts set up for each of the fiscal years as shown in 1-e shall be allotted for this purpose except that in the event the funds provided for teacher salary allotments are insufficient to pay the schedule of salary allotments, as set out herein, including five hundred additional teachers the first year and seven hundred additional teachers the second year, then and only then may the State Board of Education transfer sufficient amounts from this "Other Current Expenses" allotment to the "Salary" allotment.

9. Capital Outlay allotments shall be made in the same manner as in the Regulations of the State Board of Education for 1953-54.

BE IT FURTHER RESOLVED, that if any amounts are not allotted as provided in 1 through 9 above, the amounts not allotted shall revert to the Alabama Special Educational Trust Fund.

BE IT FURTHER RESOLVED, that the Legislature hereby directs the State Superintendent of Education to make recommendations to the State Board of Education with regard to the Minimum Program Fund in compliance with this resolution.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to each county and city board of education.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 63, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has concurred in and adopted the following joint resolution:

S. J. R. 62. Relative to naming House Bill 296, which has passed both Houses.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Davis (Lowndes), the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 62, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE TO S. J. R. 62

Resolved by the Senate of Alabama, the House of Representatives concurring, that the bill, H. B. 296, which has passed both Houses, be

designated and known as "The Engelhardt, Boutwell, Richardson, Martin and Ramey Bill".

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Martin, Harrison, Ward, Burkhalter, Kendall, Brown (Lamar), Nettles, Branyon and Ramey:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 43. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Ward, Brown (Lee), Bassett, deGraffenried, Callahan, Haltom and Harrison:

H. 820. To amend Section 582 of Title 51, Code of Alabama (1940) which relates to the license fee for restaurants, cafes, cafeterias, etc.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 820. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolution:

S. J. R. 64. Relative to the adjournment of the two Houses to meet again on Friday, August 12th, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Dawkins:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Also:

By Messrs. Kendall and Stokes:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Also:

By Messrs. Nice, Meeks, deGraffenried, Callahan, Vacca, and Roberts:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Also:

By Mr. Harrison:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 867 and 726. To the Committee on Finance and Taxation.

H. B. 834. To the Committee on Public Roads and Highways.

H. B. 555. To the Committee on Corporations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Haltom:

H. 427. To amend Sections 661 and 669 of Title 7, Code of Alabama, 1940, which relate to exemption of homesteads from administration and payment of debts.

Also:

By Mr. Oden:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 427. To the Committee on Judiciary.

H. B. 339. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Franklin, Johnson (Tallapoosa) and Adams:

H. 803. To amend further Section 15 of Title 30, Code of Alabama (1940), as amended, which relates to the remuneration of the clerk of the jury commission.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 803. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Goodwyn, Nolen, Dawkins, Kendall, Summerlin, Stokes, McNider, Bradford, Hall, Boyd and Pirkle:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 788. To the Committee on Finance and Taxation.

MOTION TO ADJOURN LOST

At 5:32 P. M., Mr. Davis (Lowndes) moved that the Senate adjourn until Friday, August 12, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 4; Nays 28.

Yeas: Messrs. Coleman, Davis (Lowndes), Engelhardt and Givhan. —4

Nays:

Messrs.:	Eddins	Little	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Goodwin	Newton	Tate
Bradford	Grisham	Reeves	Van Antwerp
Calvin	Jones	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Autauga)
Cooper	Leonard	Shelton	Yarbrough (Randolph)
Dyar			

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BILLS ON THIRD READING RESUMED

The Bill:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

Was taken up.

The Standing Committee on Finance and Taxation offered the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 683

Insert the words "or federal government," after the word "municipality" and before the word "and" where those words appear together in the first paragraph of the proposed amendment.

Strike out the sentence, "The tax shall be imposed at the following rates on the incomes of individuals and corporations," appearing in the first paragraph of the proposed amendment, and insert in lieu thereof the following:

The tax shall be imposed on the incomes of individuals and corporations at rates not to exceed the following:

Strike out the sentence in the proposed amendment, "Such tax shall be based on the adjusted gross incomes of individuals and corporations" and insert the following in lieu thereof:

Such tax shall be based on the adjusted gross incomes of individuals and corporations, as defined by the Legislature.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)			

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Mr. Calvin then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 683, AS AMENDED

Amend H. B. 683, as amended, by striking from Section 1 the following sentence appearing therein:

"For the purposes of this amendment, the term 'adjusted gross income' shall mean the entire income received during any taxable year less ordinary and necessary expenses incurred in acquiring such income, without personal exemptions or other deductions of any kind whatsoever."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)			

—32

And said Bill, as thus amended, was then read a third time at length as required by the Constitution, and passed.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Boutwell	Calvin	Cooper
Allen	Bradford	Cantrell	Davis (Lowndes)

Dyar	Lamberth	Reeves	Tate
Flowers	Leonard	Roberts	Van Antwerp
Givhan	Little	Robison	Vann
Grisham	Moses	Shelton	Yarbrough (Autauga)
Jones	Newton	Skidmore	Yarbrough (Randolph)

—27

Nays: Messrs. Coleman, Eddins and Engelhardt.

—3

PAIRED VOTE ANNOUNCED

Mr. Goodwin announced that he was paired with Mr. Davis (Pickens) on this vote; Mr. Davis (Pickens), if present, would vote "Nay", and he, Mr. Goodwin, would vote "Yea".

Mr. Smith announced that he was paired with Mr. Metcalf on this vote; Mr. Metcalf, if present, would vote "Nay", and he, Mr. Smith, would vote "Yea".

BILLS ON THIRD READING RESUMED

The Bill:

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

Was taken up.

Mr. Shelton offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 87

Strike out the period following the word "thereby" appearing in the caption of the bill, insert a semi-colon in lieu thereof, and add the following: also, levying sales and use taxes in addition to the sales and use taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), providing for the assessment, collection, and enforcement of such additional taxes, and for the distribution of the proceeds thereof.

Also, strike out Section 2 of the bill and insert in lieu thereof the following:

"Section 2. The following tax is hereby levied in addition to the tax levied by Article 10, Chapter 20, Title 51, Code of Alabama (1940), as amended, to be collected and enforced in the same manner and subject to the same rules, regulations and exemptions:

"(a) Upon every person, firm or corporation engaged, or continuing within this State in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rate specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

"(b) Upon every person, firm or corporation engaged, or continuing within this State, in the business of conducting, or operating, places of

amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association, whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place in which any exhibition, display, amusement or entertainment is offered to the public or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the State of Alabama, an amount equal to one percent (1%) of the gross receipts of any such business.

"(c) An excise tax in addition to the tax levied by Article 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, is hereby imposed on the storage, use or other consumption in this State of tangible personal property purchased at retail, at the rate of one percent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in this State. Every person storing, using or otherwise consuming in this State tangible personal property purchased at retail shall be liable for the tax imposed by this Act, and the liability shall not be extinguished until the tax has been paid to this State. A receipt from a retailer maintaining a place of business in this State, or from a retailer authorized by the department of revenue under its rules and regulations to collect the tax imposed hereby, who shall for the purpose of this Act be regarded as a retailer maintaining a place of business in this State, given to the purchaser in accordance with the provisions of Section 791 of Title 51, Code of Alabama (1940), as amended, shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer."

Also, strike out Section 3 of the bill and insert in lieu thereof the following:

"Section 3. The taxes levied by this Act shall be assessed, collected, and enforced by the State Department of Revenue in conjunction with the taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code 1940, as amended, and shall be assessed, collected, and enforced as nearly as may be in accordance with the rules and regulations applying to and governing the collection of the sales and use taxes levied and imposed by Articles 10 and 11 of Chapter 20, Title 51, Code 1940, as amended."

Strike out Section 4 of the bill and insert in lieu thereof the following:

"Section 4. The proceeds of the taxes collected under this Act shall be remitted by the State Department of Revenue to the State Treasurer and shall be used exclusively for paying the salaries of school teachers, and for other educational purposes."

Also, strike out Section 5 of the bill and insert in lieu thereof the following:

"Section 5. The Department of Revenue shall from time to time promulgate such rules and regulations for making returns and for ascertainment, assessment, and collection of the taxes imposed under this Act as it may deem necessary to enforce the provisions of this Act."

Also, strike out Section 6 of the bill and insert in lieu thereof the following:

"Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains."

Also, strike out Section 7 of the bill and insert in lieu thereof the following:

"Section 7. This Act shall become effective on the first day of the month commencing after the date of its enactment. Section 2 of this Act shall expire on September 30, 1957."

Also, strike out Section 8 and all sections of the bill following Section 8.

On motion of Mr. Lamberth, said amendment was laid on the table.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Allen	Eddins	Little	Smith
Boutwell	Engelhardt	Moses	Tate
Bradford	Flowers	Newton	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—29

Nays: Messrs. Coleman, Givhan and Shelton.

—3

And said Bill was then read a third time at length and passed.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Little	Skidmore
Boutwell	Engelhardt	Moses	Smith
Bradford	Flowers	Newton	Tate
Calvin	Givhan	Reeves	Vann
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—29

Nays: Messrs Coleman and Van Antwerp.

—2

PAIRED VOTE ANNOUNCED

Mr. Goodwin announced that he was paired with Mr. Davis (Pickens) on this vote; Mr. Davis (Pickens), if present, would vote "Nay", and he, Mr. Goodwin, would vote "Yea".

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Also:

By Messrs. Hawkins, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 573, 577, 576, 575, 574, 572, 571, 570, 569, and 568. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions or pursuant to certain contracts; to authorize the state, the highway department, cer-

tain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to authorize certain counties and municipalities to enter into contracts limiting their respective rights to construct competing toll vehicular facilities; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function."

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

M. C. GRISHAM,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Grisham, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:49 P. M., on motion of Mr. Newton, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 12, 1955, at 10 o'clock A. M.

THIRTIETH LEGISLATIVE DAY FRIDAY, AUGUST 12, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Crawford Howell, Assistant Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Moses, leave of absence was granted Mr. Shelton for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Resolution with the original Senate Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 62. Relative to naming H. B. 296.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940) which limits the size and weight of motor vehicles and loads.

Also:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Also:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the

state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions or pursuant to certain contracts; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to authorize certain counties and municipalities to enter into contracts limiting their respective rights to construct competing toll vehicular facilities; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Davis, Hawkins:

H. B. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-

trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 355. To the Committee on Commerce and Common Carriers.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Engelhardt:

S. B. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MACON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the county school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education of Macon County, Alabama, is hereby authorized and empowered to discharge, with or without cause, and with or without notice or hearing, any teacher in the county school system on continuing service status under the provisions of general law relating to the employment and tenure of teachers, any provisions of

Chapter 13 of Title 52, Code of Alabama (1940), as amended, to the contrary notwithstanding; and the action of the board in regard to any such discharge shall be final and not subject to review or modification by any officer or agency.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 7-21-4t

PROOF OF PUBLICATION
THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA,
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

July 21, 1955; July 28, 1955; Aug. 4, 1955; Aug. 11, 1955.

Signed: HAL FISHER, Publisher.

Sworn to and subscribed before me this 11 day of, 19.....

MRS. FLORENCE G. FISHER,
Notary Public.

My Commission Expires Jan., 1958.

By Mr. Roberts:

S. B. 356. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent decennial census of the United States; creating a labor relations board for each such county, and providing for its personnel, powers, functions, and duties and the performance thereof; providing for judicial review of the actions of the board; promoting the settlement of labor disputes in such counties through collective bargaining, and regulating the selection of employee representatives for such purpose; prescribing certain rights and duties of employers and employees; defining and prohibiting certain unfair labor practices; and prescribing penalties for certain violations of the Act.

Committee on Local Legislation.

By Mr. Roberts:

S. B. 357. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

Committee on Local Legislation.

By Mr. Roberts:

S. B. 358. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An

Act to fix the compensation of court reporters, and providing for the payment thereof."

Committee on Local Legislation.

By Mr. Allen:

S. B. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Cullman, Alabama be, and the same are hereby, extended so as to include the following described real estate:

Beginning at a point on the present corporate limits of the City of Cullman, where the Drippings Springs Road intersects the West line of Section 9, Township 10, Range 3, West, thence North along the said Section line to the Southwest corner of the Northwest quarter of the Northwest quarter, Section 9, Township 10, Range 3, West; thence East along the South line of the North-half of the Northwest quarter of said Section 9 to the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, West; thence North along the East line of the Northeast quarter of the Northwest quarter to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, thence West along the Section line to the Southwest corner of Section 4, Township 10, Range 3, West; thence North along the Section line to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 4, Township 10, Range 3, West; thence East along the Section line of the North-half of the North-half of Section 4, Township 10, Range 3, West to the center line of U. S. Highway 31; thence Southwardly along the center line of U. S. Highway 31 to a point 161 feet South of the point where South line of the Northwest quarter of the Southeast quarter of Section 4 intersects the center line of U. S. Highway 31; thence East and parallel with the South line of the Northwest quarter of the Southeast quarter of Section 4, Township 10, Range 3, West to the West boundary line of the L & N Railroad Right-of-Way; thence Southwardly along the West boundary line of the L & N Railroad Right-of-Way to the present corporate limits; thence along the present corporate limits of the City of Cullman to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

Section 3. This Act shall take effect upon approval of the Governor.

July 21, 28, Aug. 4, 11-Chg.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Jack C. Riley, a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, Publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: July 21, 28, August 4, 11, 1955.

HENRY F. ARNOLD,
Publisher

Sworn to and subscribed before me this, the 11th day of August, 1955.

JACK C. RILEY,
Notary Public.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca et al:

H. 672 (With amendment). To amend Section 5 of Title 27 of the Code of Alabama of 1940, so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate to an adopted child from the adopting parent or parents and their natural and adopted kindred and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution or personal estate of an adopted child to the adopting parent or parents and their natural and adopted kindred upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Davis:

H. 294. To amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

By Mr. Haltom:

H. 427. To amend Sections 661 and 669 of Title 7, Code of Alabama, 1940, which relate to exemption of homesteads from administration and payment of debts.

By Messrs. Hawkins et al:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26,

Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

By Messrs. Hawkins et al:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

By Messrs. Hawkins et al:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

By Messrs. Hawkins et al:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

By Messrs. Hawkins et al:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

By Messrs. Hawkins et al:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

By Messrs. Hawkins et al:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

By Mr. Flowers:

S. 327. To amend Section 77, Title 46, 1940 Code of Alabama, so as to make it a misdemeanor for any architect or engineer preparing plans and specifications for work to be contracted in the State of Alabama to fail to include in their invitation and plans and specifications to bidders, a copy of the contractors law, as required by Section 79, of Title 46, Code of 1940, or accept a bid or award a contract from a contractor not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and also to make it a misdemeanor for a contractor to submit a bid for work in Alabama, who is not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and provide penalties therefor.

By Mr. Flowers:

S. 328. To amend Section 73, Title 46, 1940 Code of Alabama, so that the Board, on written application, after examination, may grant a license to any applicant as a general contractor, or (1) as a building contractor, (2) as a highway contractor, (3) as a public utilities contractor or (4) as a specialty contractor as defined and limited by the Board and for reexamination in case of failure to pass the examination and the fee for such application and the renewal thereof.

By Mr. Flowers:

S. 329. To amend Section 80, Title 46, 1940 Code of Alabama, to provide that no awarding authority or its agent shall issue to other than a general licensed contractor or his representative, plans or specifications or proposed forms; and where bids are to be received on forms furnished by awarding authority, no proposal forms or plans or specifications shall be issued other than to a licensed general contractor or his representative.

By Mr. Reeves:

S. 342. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

By Mr. Perry et al:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn et al (With amendment):

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

By Messrs. Hawkins et al (With amendment):

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lamberth (With substitute):

S. 308. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf, Flowers, Cantrell, Newton, Smith, Lamberth, Skidmore, Moses, Allen, Vann, Davis (Pickens), Van Antwerp, Roberts, Givhan and Goodwin (With amendment):

S. 245. To make an appropriation of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957 to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard and Air National Guard units, including the matching of Federal funds made available to the State of Alabama for such purpose, and including the improvement and equipping of armories therefor.

Mr. Lamberth Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Ward et al:

H. 820. To amend Section 582 of Title 51, Code of Alabama (1940) which relates to the license fee for restaurants, cafes, cafeterias, etc.

By Messrs. Nice et al:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; provid-

ing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

By Messrs. Martin et al:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins et al (With substitute):

H. 470. To provide for the construction, maintenance, and operation of five additional trade schools.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

By Messrs. Callahan, Ramey and deGraffenried:

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Yarbrough (Autauga) (With amendment):

S. 351. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dawkins:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Mr. Engelhardt, Chairman of the Standing Committee on Corporations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harrison:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (With notice and proof):

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

By Mr. Robison (With notice and proof):

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Mr. Robison:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

By Mr. Newton (With notice and proof):

S. 346. Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

By Mr. Newton (With notice and proof):

S. 347. Relating to Walker County: To disqualify judges in certain cases.

By Mr. Allen (With notice and proof):

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

By Mr. Allen (With notice and proof):

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

By Mr. Allen (With notice and proof):

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

By Mr. Dement:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

By Messrs. Callahan and deGraffenried:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

By Mr. Callahan:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

By Messrs. Roberts and Reynolds:

H. 628. To create an additional judgeship for the Twenty-third

Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

By Messrs. Gilchrist and Brewer (With notice and proof):

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Lee (Lawrence) (With notice and proof):

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

By Mr. Burkhalter (With notice and proof):

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

By Messrs. Hawkins and Hanby:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

By Messrs. Hawkins and Hanby:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

By Messrs. Meeks et al:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

By Messrs. Kaul et al:

H. 818. To provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

By Messrs. Lackey et al:

H. 819 To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An Act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

By Messrs. Nolen et al:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

By Messrs. Callahan and deGraffenried:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County

authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Killough and Taylor (With notice and proof):

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

By Messrs. Killough and Taylor (With notice and proof):

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

By Mr. Steagall (With notice and proof):

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

By Mr. Lee (Lawrence) (With notice and proof):

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

By Messrs. Roberts and Reynolds (With notice and proof):

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

By Messrs. Murphy, Simon and Tyson (With notice and proof):

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

By Messrs. Nolen et al:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

By Messrs. Kaul et al:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

By Messrs. Lackey et al:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Oden:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any mu-

municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

By Mr. Harrison:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; To provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Metcalf, Lamberth, Flowers, Roberts and Cantrell (with substitute):

S. 235. To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Davis, Martin and Dement:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941. by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

By Mr. Faulk:

H. 488. To provide for the construction of rural mailbox turnouts on Alabama highways.

By Messrs. Kendall and Stokes:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Mr. Davis (Lowndes), Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Murphy, Simon and Tyson:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Mr. Coleman, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Meeks et al:

H. 261. To require the Attorney General to compile and have printed all constitutional and statutory provisions of this State relating to the registration and qualifications of electors and to provide a copy of such compilation for each member of the various boards of registrars.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins et al (with substitute):

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

The above bill was read a second time at length as required by the Constitution.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hall and Dawkins (with substitute):

H. 378. To provide that it shall be mandatory that the quota provisions of Sections 205-231, Code of Alabama, 1940, be applicable only to wholesale producer licensees of the Alabama State Milk Control Board with an exception.

BILL REPORTED AND RE-REFERRED

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation:

H. B. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

And said Bill was re-referred to the Standing Committee on Finance and Taxation.

MOTION TO REMOVE FROM ADVERSE CALENDAR

In accordance with Notice given on yesterday, Mr. Davis (Pickens) moved that the Bill, H. B. 377, with amendment, be removed from the Adverse Calendar and placed on the Regular Calendar, which was adopted.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Dyar	Grisham	Robison
Calvin	Eddins	James	Smith
Coleman	Engelhardt	Jones	Tate
Cooper	Givhan	Moses	Vann
Davis (Lowndes)	Goodwin	Reeves	Yarbrough (Autauga)
Davis (Pickens)			

—20

Nays:

Messrs.:	Bradford	Lamberth	Newton
Allen	Cantrell	Little	Roberts
Boutwell	Flowers	Metcalf	Skidmore

—11

And said Bill was again read a second time and ordered placed on the Regular Calendar.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the Bill, S. B. 295, was indefinitely postponed by the Senate,

PERSONAL PRIVILEGE

"I would like the Journal of the Senate to show that had I been present on 29th legislative day I would have voted "Yea" on House Bill No. 683."

"H. P. JAMES"

The foregoing was read and ordered spread upon the Journal.

BILLS ON THIRD READING

The Bill:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be

authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Smith
Boutwell	Dyar	Little	Tate
Calvin	Flowers	Moses	Vann
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Coleman	Grisham	Reeves	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

S. 294. Relating to counties having a population of not less than 47,000 nor more than 52,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Tate
Allen	Flowers	Moses	Van Antwerp
Bradford	Givhan	Reeves	Vann
Calvin	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones	Smith	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

S. 275. Relating to counties having a population of not less than 75,000 nor more than 130,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Cantrell	Cooper
Allen	Bradford	Coleman	Davis (Pickens)

Engelhardt	Jones	Newton	Van Antwerp
Flowers	Lamberth	Roberts	Vann
Givhan	Leonard	Skidmore	Yarbrough (Randolph)
James	Moses		

—21

The Bill:

S. 314. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Little	Skidmore
Boutwell	Engelhardt	Moses	Tate
Bradford	Flowers	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	James		

—21

The Bill:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Leonard	Smith
Boutwell	Engelhardt	Metcalf	Tate
Calvin	Givhan	Moses	Vann
Cooper	Goodwin	Newton	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Skidmore
Allen	Dyar	Little	Smith
Calvin	Engelhardt	Moses	Vann
Cantrell	Flowers	Newton	Yarbrough (Autauga)
Coleman	Goodwin	Roberts	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Boutwell	Dyar	Lamberth	Skidmore
Calvin	Engelhardt	Little	Smith
Cantrell	Givhan	Moses	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James		

—21

The Bill:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Eddins	Lamberth	Skidmore
Bradford	Flowers	Little	Van Antwerp
Calvin	Goodwin	Metcalf	Yarbrough (Autauga)
Coleman	Grisham	Moses	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Cantrell	Flowers	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Skidmore
Boutwell	Engelhardt	Moses	Smith
Calvin	Flowers	Reeves	Tate
Cantrell	Goodwin	Roberts	Van Antwerp
Coleman	James	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Leonard		

—21

The Bill:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Davis (Pickens)	Lamberth	Skidmore
Boutwell	Eddins	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Cooper	Grisham		

—21

The Bill:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Allen	Dyar	Leonard	Tate
Bradford	Engelhardt	Little	Van Antwerp
Calvin	Flowers	Reeves	Vann
Coleman	Goodwin	Roberts	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Was read a third time at length, as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Smith
Allen	Flowers	Moses	Tate
Bradford	Grisham	Newton	Van Antwerp
Calvin	James	Robison	Yarbrough (Autauga)
Cooper	Jones	Skidmore	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Was read a third time at length, as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Robison
Allen	Dyar	Little	Smith
Calvin	Eddins	Moses	Vann
Cantrell	Flowers	Newton	Yarbrough (Autauga)
Cooper	Givhan	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

The Bill:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Roberts
Allen	Dyar	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Van Antwerp
Calvin	Flowers	Moses	Yarbrough (Autauga)
Cantrell	Goodwin	Newton	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Leonard	Skidmore
Bradford	Eddins	Little	Smith
Calvin	Flowers	Moses	Vann
Cooper	Goodwin	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Leonard	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Vann
Cooper	Goodwin	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James		

—21

The Bill:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Moses	Tate
Cantrell	Goodwin	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Reeves
Allen	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Metcalf	Tate
Calvin	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Skidmore
Allen	Davis (Pickens)	Lamberth	Smith
Boutwell	Dyar	Little	Tate
Bradford	Engelhardt	Moses	Yarbrough (Autauga)
Cantrell	Givhan	Reeves	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

S. 339. To amend Section 81, Title 61, Code of Alabama, 1940, as amended by Act No. 356 of the Regular Session of the Legislature of 1945, approved July 6, 1945, and as amended by Act No. 635 of the Regular Session of the Legislature of 1951, approved September 4, 1951.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Skidmore
Boutwell	Eddins	Metcalf	Smith
Calvin	Flowers	Moses	Tate
Cantrell	Givhan	Reeves	Vann
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Cooper	Davis (Pickens)
Bradford	Coleman	Davis (Lowndes)	Dyar

Eddins	Jones	Reeves	Tate
Flowers	Little	Skidmore	Van Antwerp
Goodwin	Moses	Smith	Yarbrough (Autauga)
James	Newton		

—21

The Bill:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Skidmore
Allen	Davis (Pickens)	Metcalf	Smith
Boutwell	Engelhardt	Moses	Vann
Bradford	Flowers	Reeves	Yarbrough (Autauga)
Cantrell	Goodwin	Robison	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Calvin	Givhan	Newton	Tate
Cantrell	James	Roberts	Vann
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)	Leonard		

—21

The Bill:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Lamberth	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Vann
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Lamberth	Robison
Boutwell	Flowers	Little	Skidmore
Calvin	Givhan	Metcalf	Smith
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Coleman	Goodwin	Newton	Vann
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Smith
Allen	Flowers	Metcalf	Tate
Bradford	Givhan	Newton	Vann
Cantrell	Grisham	Robison	Yarbrough (Autauga)
Cooper	Jones	Skidmore	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Skidmore
Bradford	Dyar	Metcalf	Tate
Calvin	Eddins	Newton	Vann
Coleman	Flowers	Roberts	Yarbrough (Autauga)
Cooper	Givhan	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

The Bill:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Allen	Engelhardt	Metcalf	Skidmore
Calvin	Flowers	Moses	Tate
Cantrell	Grisham	Newton	Vann
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Robison
Allen	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Goodwin	Newton	Vann
Coleman	Grisham	Roberts	Yarbrough (Randolph)
Cooper	Lamberth		

—21

The Bill:

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

Was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 783

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the Cities of Auburn and Opelika.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

"Both the City of Auburn and the City of Opelika shall have, in addition to the power to levy and collect ad valorem taxes at the rate of one and one-half per centum (1½%) as provided for in Amendment VIII of this Constitution, the further power to levy and collect each year an additional tax or taxes not exceeding one-half per centum (½%) in any one year on the property situated therein based on the valuation of such property as assessed for state taxation during the preceding year; provided, however, that all such additional ad valorem tax or taxes levied and collected by either the City of Auburn or the City of Opelika shall be levied and collected solely for public school purposes and may be pledged to the payment of the principal of and interest on bonds, warrants or other evidences of indebtedness issued for public school purposes, which pledges shall take priority as provided in such bonds, warrants or other evidences of indebtedness, and provided, further, that before any such additional tax or taxes may be so levied and collected a majority of the qualified electors of the City of Auburn or the City of Opelika, as the case may be, voting at an election called for that purpose shall vote in favor of the levy thereof. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such elections shall specify that the proposed additional rate of taxation shall be authorized for public school purposes, and shall contain the words "For.....% additional rate of taxation;" and "Against% additional rate of taxation"; the additional rate of taxation proposed to be shown in the blank space provided therefor. The voter shall record his choice, whether for or against the additional rate shown, by placing a cross mark before or after the words expressing his choice, but such choice may be recorded on voting machines if voting machines are used at such election. The proceeds of any such additional one-half per centum (½%) ad valorem tax or taxes so authorized at any such election shall be used only for public school purposes, as authorized at such election, and may be pledged to the payment of the principal of and interest on bonds, warrants, or other evidences of indebtedness issued for public school purposes, which pledges shall take priority as provided in such bonds, warrants or other evidences of indebtedness. Elections to authorize the levy of such additional tax or taxes may be held as often as ordered by the governing body of the City of Auburn or the City of Opelika, but when a proposition is submitted to the electors to levy such additional tax for such public school purposes in such City, and such proposition is defeated, then no second election in such City shall be held for one year thereafter."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current regular session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Robison
Allen	Dyar	Metcalf	Smith
Bradford	Flowers	Newton	Vann
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

And said Bill, as thus amended by the substitute, was then read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Robison
Allen	Dyar	Metcalf	Smith
Bradford	Flowers	Newton	Vann
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the Bill, H. B. 749, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The bill:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—33

The bill:

S. 290. To amend Sections 658 and 663 of Title 2, Code of Alabama (1940), which relate to soil conservation districts.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Reeves
Allen	Dyar	Jones	Roberts
Boutwell	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Smith
Cantrell	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)			

—32

The bill:

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—33

The bill:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalfe	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Coleman	Grisham	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Pickens)			

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APPOINTMENT OF SELECT COMMITTEE

In accordance with the provisions of H. J. R. 50, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Lamberth and Boutwell.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, vetoing the bill, H. 473, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you, a message from the Governor, relative to House Bill No. 473.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary

AUGUST 9, 1955

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 473, without my approval, for the following reasons:

1. Local legislation as operative in the Alabama Legislature is not intended to be an instrument to undermine broad rights and privileges as granted by our basic laws of freedom and pursuit of opportunity;

2. The very nature of said bill strips individuals of certain rights which they have enjoyed in this country for hundreds of years;

3. It is unjust, unfair, and undemocratic to levy a fantastic solicitation fee upon procurement of organizational memberships as outlined in said bill; and regardless of whatever group or organization said bill is directed toward, its very wording makes this exorbitant collection of fees apply equally to charitable and benevolent organizations, as well as fraternal groups.

4. Said bill is untenable in that it restricts fundamental rights and privileges already guaranteed our citizens by law; therefore, I am returning this bill without my approval.

Respectfully,
JAMES E. FOLSOM,
Governor

And the bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Was again read at length and passed by the House, the Governor's veto to the contrary notwithstanding, by a vote of Yeas 57, Nays 6, which was a majority of the whole number elected to the House.

And said bill, together with the veto message proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Cooper, the Senate reconsidered and again passed the Bill, H. B. 473, the title of which is set out in the foregoing Message from the House, the Governor's veto to the contrary notwithstanding.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Smith
Boutwell	Davis (Pickens)	James	Vann
Bradford	Eddins	Jones	Yarbrough (Autauga)
Coleman	Engelhardt	Little	Yarbrough (Randolph)
Cooper	Givhan	Reeves	

—18

Nays:

Messrs.:	Cantrell	Grisham	Metcalf
Allen	Dyar	Lamberth	Roberts
Calvin	Flowers	Leonard	Skidmore

—11

Which was a majority of the whole number elected to the Senate.

MOTION TO RECONSIDER

Mr. Cooper moved that the Senate reconsider the vote by which it passed the Bill, H. B. 473, the Governor's veto to the contrary notwithstanding, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Smith
Boutwell	Davis (Pickens)	James	Vann
Bradford	Eddins	Jones	Yarbrough (Autauga)
Coleman	Engelhardt	Little	Yarbrough (Randolph)
Cooper	Givhan	Reeves	

—18

Nays:

Messrs.:	Cantrell	Grisham	Metcalf
Allen	Dyar	Lamberth	Roberts
Calvin	Flowers	Leonard	Skidmore

—11

RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to Meet again on Tuesday, August 16th. 1955.

And on motion of Mr. Lamberth, said Resolution was then adopted by the Senate.

MOTION TO RECESS LOST

At 12:07 P.M., Mr. Metcalf moved that the Senate now take a recess until 1:30 this afternoon, which motion was lost.

Yeas 12; Nays 22.

Yeas:

Messrs.:	Davis (Pickens)	Reeves	Smith
Allen	Flowers	Roberts	Yarbrough (Autauga)
Boutwell	Metcalf	Skidmore	Yarbrough (Randolph)
Calvin			

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Nays:

Messrs.:	Dyar	James	Newton
Bradford	Eddins	Jones	Robison
Cantrell	Engelhardt	Lamberth	Tate
Coleman	Givhan	Leonard	Van Antwerp
Cooper	Goodwin	Little	Vann
Davis (Lowndes)	Grisham	Moses	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 98. Said report of said Conference Committee being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE ON THE DISAGREEMENT
BETWEEN THE TWO HOUSES ON HOUSE BILL 98

To the House of Representatives
and Senate of Alabama.

We, the undersigned members heretofore appointed as Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill, H. 98, beg leave to report as follows:

- (1) That the Bill, H. 98, be amended by the following substitute:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State,

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 38 of Title 8, Code of Alabama 1940, be and the same is hereby amended so as to read as follows:

"Section 38. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters in this State, in which fresh or salt water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring a fishing license and paying therefor the sum of two dollars. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State, in which fresh or salt water fish appear, by angling with a hook and line without first procuring a fishing license and paying therefor the sum of one dollar. Any resident who procures a rod and reel license, however, shall be entitled to fish with a hook and line without the necessity of procuring an additional license. These licenses shall be issued in the manner and under the conditions, limitations and exemptions as expressly provided for in this Act.

"Such fishing licenses shall not be transferable and it shall be unlawful to borrow, lend or alter any such fishing license or for any license issuing officer to back-date any such license at the time of issuing same.

"Any citizen of this State who is entitled to purchase a fishing license as herein provided for may procure such license by applying to any judge of probate, license commissioner or other persons authorized and designated to issue fishing licenses, stating his or her name, age, color, place of residence and post office address and paying to such issuing officer the amount required herein for such license. Judges of probate, license commissioners or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of fifteen cents for each license so issued, which fee shall be in addition to the amount designated in this Act as the cost of such license. Provided, however, that all fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the County Treasury to the credit of the appropriate Fund.

"All persons under the age of sixteen years shall be exempted from the requirement of procuring such license. Any citizen of this State over sixty-five years of age shall be exempted from the requirement of procuring a fishing license as provided for herein upon payment of an issuing fee not to exceed fifteen cents to any judge of probate or license commissioner and, upon satisfactory proof to such judge of probate or license commissioner that he or she has attained the age of sixty-five years, an exempted fishing license will thereupon be issued to such person. Such exempted license issued to any citizen of this State who has attained the age of sixty-five years shall be issued upon a lifetime basis and without further requirements of annual renewal. In the event such license is lost, such citizen may acquire a similar license by paying to any judge of probate or license commissioner an issuing fee not to exceed fifteen cents and upon again presenting satisfactory proof that he or she has attained the age of sixty-five years.

"The license required by this Section shall not apply to persons fishing with an ordinary hook and line in his or her county of residence or within one mile of his or her resident county boundary line nor shall it include any person or member of his immediate family who fishes on or from lands owned by him nor shall it include any tenant or member of his immediate family who fishes on or from lands leased or rented by such tenant and who resides on such lands. Provided, however, any

person who fishes with ordinary hook and line in his own county of residence shall be required to have on his person, while so fishing, reasonable proof of said residency in such county.

"The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the State Treasury to the credit of the Game and Fish Fund and shall be used in the construction, maintenance, development and supervision of public fishing lakes and for the purchase of lands to be used for public landings on public streams and for the development, protection, propagation and distribution of fish and wildlife of this State.

"Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars for each offense."

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

s/d

J. Emmett Wood
Bryce C. Davis
N. S. Hare
Conferees on the part of the House
E. O. Eddins
Berry Lynchmore Cantrell
Conferees on the part of the Senate

I do not concur in the foregoing majority report.

I do not recommend adoption of the conference committee substitute.

s/d

Jas. S. Coleman, Jr.
Conferee on the part of the Senate.

And said bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE MESSAGE

Mr. Coleman moved that further consideration of the report of the Conference Committee appointed to reconcile the differences between the two Houses on the Bill, H. B. 98, the title of which and said Conference report is set out in the foregoing Message from the House, be postponed to the Thirty-Second Legislative Day. On motion of Mr. Van Antwerp, the motion to postpone was laid on the table.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Calvin	Davis (Lowndes)	Eddins
Allen	Cantrell	Dyar	Engelhardt

Flowers	Jones	Metcalf	Robison
Goodwin	Lamberth	Moses	Smith
Grisham	Leonard	Newton	Van Antwerp
James	Little	Roberts	Yarbrough (Randolph)

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Nays:

Messrs.:	Coleman	Givhan	Tate
Boutwell	Cooper	Reeves	Vann
Bradford	Davis (Pickens)	Skidmore	Yarbrough (Autauga)

—11

Mr. Eddins moved that the Senate concur in the report of the Committee on Conference.

Mr. Coleman moved as a substitute motion that the Senate concur in the minority report of the Conference Committee.

RECESS

At 12:31 P. M., on motion of Mr. Skidmore, pending further consideration of the Conference report on H. B. 98, the Senate took a recess until 2 o'clock this afternoon.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Coleman	James	Smith
Allen	Cooper	Jones	Tate
Bradford	Engelhardt	Reeves	Yarbrough (Autauga)
Calvin	Givhan	Skidmore	Yarbrough (Randolph)

—15

Nays:

Messrs.:	Eddins	Lamberth	Roberts
Cantrell	Flowers	Leonard	Robison
Davis (Lowndes)	Goodwin	Moses	Van Antwerp
Dyar	Grisham	Newton	

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**AFTERNOON SESSION
THIRTIETH LEGISLATIVE DAY
FRIDAY, AUGUST 12, 1955**

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL**Present:**

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Boutwell, Robison, and Van Antwerp:

S. B. 360. Relating to the incorporation of certain churches and other religious organizations; prescribing as a prerequisite to incorporation of such churches and religious organizations written permission for such incorporation from the appropriate hierarch, archbishop, bishop or other administrator of the church, sect or denomination with which such proposed corporation is, or appears to be affiliated, and prescribing that certain recitals be made in the certificate of incorporation.

Committee on Judiciary.

MOTION TO POSTPONE CONFERENCE REPORT

On motion of Mr. Bradford, further consideration of the Conference report relative to H. B. 98 was postponed until the Thirty-First Legislative Day.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Cooper	Little	Van Antwerp
Boutwell	Goodwin	Reeves	Vann
Bradford	Grisham	Skidmore	Yarbrough (Autauga)
Calvin	James	Tate	Yarbrough (Randolph)
Coleman	Jones		

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Nays:

Messrs.:	Dyar	Lamberth	Newton
Allen	Eddins	Leonard	Robison
Cantrell	Engelhardt	Metcalf	Smith
Davis (Lowndes)	Flowers	Moses	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 65. Relating to the adjournment of the two Houses to meet again on Tuesday, August 16, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the Cities of Auburn and Opelika.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Summerlin:

H. J. R. 64. WHEREAS, the Federal Social Security Act provides for grants to states for aid to dependent children, and defines the term "dependent child" to include a needy child under the age of sixteen, or under the age of eighteen if regularly attending school, and

WHEREAS, children between sixteen and eighteen years of age who are not regularly attending school are thus not eligible for aid to dependent children, and

WHEREAS, some of these children between sixteen and eighteen years of age are incapable of attending school because of some permanent physical or mental disability, and are thereby not eligible for aid to dependent children through no fault of their own, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The Congress of the United States is hereby memorialized to enact legislation necessary to make needy children between sixteen and eighteen years of age, who are incapable of regularly attending school because of some permanent physical or mental disability, eligible for aid to dependent children under the provisions of the Federal Social Security Act to the same extent that children under sixteen years of age are eligible.

2. The clerk of the House of Representatives is directed to transmit a copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 64, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Was read a third time at length, as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Metcalfe	Tate
Calvin	Flowers	Moses	Vann
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	James	Roberts	

—30

The Bill:

S. 243. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to

authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	Grisham	Newton	Yarbrough (Randolph)
Davis (Lowndes)	James	Reeves	

—30

Nay: Mr. Coleman.

—1

The Bill:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision

and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Little	Tate
Calvin	Givhan	Metcalf	Vann
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Coleman	Grisham	Reeves	Yarbrough (Randolph)
Cooper	James	Roberts	

—30

The Bill:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Vann
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Coleman	Grisham	Newton	Yarbrough (Randolph)
Cooper	James	Reeves	

—30

Nays: Messrs. Davis (Pickens) and Tate.

—2

The Bill:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)

—31

The Bill:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 34, Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

The Bill:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

Was taken up.

The Standing Committee on Corporations offered the following amendment to the Bill, to-wit:

Amend Senate Bill 180 by adding at the end of Section 1 the following:

"All such powers may be exercised by such corporation in its own right, or as trustee or as personal representative".

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—33

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—33

The Bill:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

Was taken up.

The Standing Committee on Finance and Taxation offered the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO S. B. 266

Amend S. B. 266 by substituting the word "five" for the word "three" wherever said word "three" appears in Section 1.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

—31

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Smith
Boutwell	Eddins	Little	Tate
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Moses	Vann
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Coleman	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—30

The Bill:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Little	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Calvin	Flowers	Moses	Tate
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—29

The Bill:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed.

Yeas 30; Nays 4.

Yeas:

Messrs.:	Boutwell	Cantrell	Cooper
Allen	Bradford	Coleman	Davis (Lowndes)

Dyar	Grisham	Moses	Smith
Eddins	James	Newton	Tate
Engelhardt	Lamberth	Reeves	Van Antwerp
Flowers	Leonard	Roberts	Vann
Givhan	Little	Robison	Yarbrough (Autauga)
Goodwin	Metcalf	Skidmore	

—30

Nays: Messrs. Calvin, Davis (Pickens), Jones, and Yarbrough (Randolph). —4

The Bill:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed.

Yeas 32; Nays 2.

Yeas:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Coleman	Grisham	Newton	Vann
Cooper	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Roberts	Yarbrough (Randolph)
Dyar			

—32

Nays: Messrs. Calvin and Davis (Pickens). —2

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the Bills, S. B. 82, S. B. 80 and S. B. 81, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

Was read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Roberts
Allen	Davis (Pickens)	Lamberth	Robison
Boutwell	Dyar	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Coleman	Grisham	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)

—31

Nay: Mr. Vann. —1

The Bill:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Coleman	James	Reeves	Yarbrough (Autauga)
Cooper	Jones	Roberts	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

H. 122. To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

The Bill:

S. 307. To amend Section 1 of Act No. 169 of the regular session of the Legislature of 1945, (General Acts of Alabama 1945, page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in sub-section (d) of said **Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.**

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Coleman	Engelhardt	Jones
Allen	Cooper	Flowers	Lamberth
Boutwell	Davis (Lowndes)	Givhan	Leonard
Bradford	Davis (Pickens)	Goodwin	Little
Calvin	Dyar	Grisham	Metcalf
Cantrell	Eddins	James	Moses

Newton	Skidmore	Van Antwerp	Yarbrough (Autauga)
Reeves	Smith	Vann	Yarbrough (Randolph)
Roberts	Tate		

—33

MOTION TO ADJOURN LOST

At 3:31 P. M., Mr. Bradford moved that the Senate do now adjourn until Tuesday, August 16, 1955, at 12 o'clock Noon, which resulted in a tie vote.

Yeas 17; Nays 17.

Yeas:

Messrs.:	Cooper	Givhan	Robison
Boutwell	Davis (Lowndes)	James	Smith
Bradford	Davis (Pickens)	Little	Vann
Calvin	Eddins	Reeves	Yarbrough (Autauga)
Coleman	Engelhardt		

—17

Nays:

Messrs.:	Goodwin	Metcalf	Skidmore
Allen	Grisham	Moses	Tate
Cantrell	Jones	Newton	Van Antwerp
Dyar	Lamberth	Roberts	Yarbrough (Randolph)
Flowers	Leonard		

—17

And the President and Presiding Officer voted "Nay", therefore the motion to adjourn was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, Page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under sub-section (1) of said section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in sub-section (2) of said section shall be eight cents per thousand feet board measure lumber tally, and that sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Jones	Robison
Boutwell	Eddins	Lamberth	Smith
Bradford	Engelhardt	Leonard	Tate
Calvin	Flowers	Little	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR S. B. 21

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation for the support and maintenance of of Walker County Junior College.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there is hereby appropriated annually for each of the fiscal years ending September 30, 1956 and September 30, 1957, from any funds in the State Treasury not otherwise appropriated, for the use and benefit of WALKER COUNTY JUNIOR COLLEGE, located at Jasper, Walker County, Alabama, to be used for the support and maintenance of said college.

Section 2. This act shall become effective on October 1, 1955.

Which was adopted.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Coleman	Grisham	Newton	Vann
Davis (Lowndes)	James	Reeves	

—26

Nays: Messrs. Davis (Pickens), Eddins, Yarbrough (Autauga) and Yarbrough (Randolph).

—4

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 5.

Yeas:

Messrs.:	Dyar	Lamberth	Roberts
Allen	Engelhardt	Leonard	Robison
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Cantrell	Goodwin	Moses	Tate
Coleman	Grisham	Newton	Van Antwerp
Cooper	James	Reeves	Vann
Davis (Lowndes)			

—28

Nays:

Messrs.:	Davis (Pickens)	Yarbrough (Autauga)	Yarbrough (Randolph)
Calvin	Eddins		

—5

The Bill:

H. 295. To amend Sections 42, 44 and 45 of Title 36, Code of Alabama (1940), as amended, which relate to lighting equipment required on motor vehicles.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Reeves
Allen	Davis (Pickens)	Jones	Roberts
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Leonard	Smith
Calvin	Engelhardt	Little	Tate
Cantrell	Flowers	Metcalf	Van Antwerp
Coleman	Givhan	Moses	Yarbrough (Autauga)
Cooper	Goodwin	Newton	Yarbrough (Randolph)

—31

MOTION TO ADJOURN LOST

At 4:04 P. M., Mr. Goodwin moved that the Senate do now adjourn until Tuesday, August 16, 1955, at 12 o'clock Noon, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Cooper	Goodwin	Robison
Bradford	Davis (Pickens)	Grisham	Skidmore
Calvin	Eddins	Little	Smith
Coleman	Engelhardt	Reeves	Vann

—15

Nays:

Messrs.:	Dyar	Leonard	Tate
Allen	Flowers	Metcalf	Van Antwerp
Boutwell	Givhan	Moses	Yarbrough (Autauga)
Cantrell	Jones	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth	Roberts	

—18

BILLS ON THIRD READING RESUMED**The Bill:**

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Was read a third time at length and passed.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Boutwell	Calvin	Coleman
Allen	Bradford	Cantrell	Cooper

Davis (Lowndes)	Grisham	Moses	Skidmore
Davis (Pickens)	James	Newton	Tate
Eddins	Jones	Reeves	Van Antwerp
Engelhardt	Lamberth	Roberts	Vann
Flowers	Little	Robison	Yarbrough (Autauga)
Givhan			

—28

Nay: Mr. Yarbrough (Randolph).

—1

The Bill:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Jones	Robison
Boutwell	Eddins	Lamberth	Smith
Bradford	Engelhardt	Leonard	Tate
Calvin	Flowers	Little	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)

—31

The Bill:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Coleman	Grisham	Newton	Vann
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Roberts
Allen	Davis (Pickens)	Jones	Robison
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Little	Smith
Calvin	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers	Moses	Vann
Coleman	Givhan	Newton	Yarbrough (Autauga)
Cooper	Goodwin	Reeves	Yarbrough (Randolph)

—31

MOTION TO POSTPONE TO DAY CERTAIN

Mr. Metcalf moved that further consideration of the Bill, S. B. 110, be postponed until the Thirty-Second Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)			

—32

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:39 P. M., on motion of Mr. Eddins, in accordance with Joint Resolution heretofore adopted, and pending motion relative to S. B. 110, the Senate adjourned until Tuesday, August 16, 1955, at 12 o'clock Noon.

**THIRTY-FIRST LEGISLATIVE DAY
TUESDAY, AUGUST 16, 1955**

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Alfred L. Bixler, Pastor, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Yarbrough (Randolph), leave of absence was granted Mr. Shelton for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Also:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

Also:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Also:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Also:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Also:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Also:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Also:

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Also:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Also:

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

Also:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Also:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Also:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Also:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Also:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Also:

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Also:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Also:

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the Cities of Auburn and Opelika.

Also:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Also:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Also:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to Challenges of Jurors for cause.

Also:

H. 122. To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Also:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

Also:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Also:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Meeks, Nice, Vacca, Perry, Edwards (Jefferson), Lackey and Kaul:

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Pursuant to constitutional requirement, notice is hereby given that a bill will be introduced at the present session (1955 regular session) of the Legislature of Alabama for the purpose of passage of a local bill for Jefferson County, incorporating into the City of Mountain Brook, Alabama the territory hereinafter particularly described. Said bill will be introduced in and sought to be passed by the Legislature in substantially the following form:

AN ACT

To Alter and Extend the Boundaries of the City of Mountain Brook.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Mountain Brook, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

The S½ of SW¼ of SW¼ and all that part of NW¼ of SW¼ of SW¼ of Section 8, Township 18 South of Range 2 West, in Jefferson County, Alabama, except a tract in the northwest corner in the shape of a parallelogram 341.92 feet long east and west and 127.4 feet wide north and south.

Section 2. This Act shall be and become effective upon and after the date of passage.

Messenger—June 4, 11, 18, 25, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 4, 11, 18, 25, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 25th day of June, 1955.

MYRTLE P. LITTLE,
Notary Public.

Also:

By Messrs. Law, Speaks, and Franklin:

H. 810. Relating to Chilton, Coosa and Elmore Counties; to prohibit the taking of fish from the public waters of these counties with hoop and fyke nets, seines, gill nets, trammel nets, fish traps or any other kind of commercial fishing gear, except setlines, trotlines, snaglines and licensed baskets.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL
TO BE ENTITLED
AN ACT**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Chilton, Coosa, Elmore and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

—S— FRANCIS W. SPEAKS.

17-4tc

PROOF OF PUBLICATION

**STATE OF ALABAMA,
COUNTY OF CHILTON.**

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of 28 day of April, 1955, 5 day of May, 1955, 12 day of May, 1955, 19 day of May, 1955.

**R. M. TUCKER,
Publisher.**

Subscribed and sworn to before me this 14th day of June, 1955.

**FRANCIS W. SPEAKS,
Notary Public.**

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chilton, Coosa, Elmore, and Tallapoosa Counties: to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa Counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CHARLES R. FRANKLIN,
Rep. Coosa County.

A28—M-5-12-19c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1955.

J. C. HENDERSON.

Sworn to and subscribed before me June 20, 1955.

T. C. WOLSONCROFT,
Notary Public.

My commission expires June 14, 1959.

**STATE OF ALABAMA
COUNTY OF ELMORE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(2993:4-21-55)

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Chilton, Coosa, Elmore, and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa Counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

12may4tch

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF ELMORE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12 May, 19 May, 26 May, and 2 June, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me 6 June, 1955.

**ELAINE HOLLEY,
Notary Public.**

And ordered same sent forthwith to the Senate without engrossment.

**R. T. GOODWYN, JR.,
Clerk.**

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 741 and 810. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration the bill:

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Senate refused to comply with the request of the House for the return thereto of the Bill, H. B. 102, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF CONFERENCE REPORT
ON HOUSE BILL 98

The Senate proceeded to further consideration of the Conference report on the Bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

The question was on the substitute motion of Mr. Coleman to concur in the minority report of the Committee on Conference, which said Conference report is set out at length in the Journal of the Senate for the Thirtieth Legislative Day.

Mr. Eddins moved that the motion of Mr. Coleman to concur in the minority report be laid on the table, which was adopted.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Allen	Engelhardt	Leonard	Robison
Bradford	Flowers	Little	Smith
Cantrell	Goodwin	Metcalf	Van Antwerp
Cooper	Grisham	Moses	Vann
Davis (Lowndes)	James	Newton	Yarbrough (Randolph)
Dyar	Jones	Reeves	

—26

Nays:

Messrs.:	Calvin	Givhan	Yarbrough (Autauga)
Boutwell	Coleman		

—5

The question then recurred on the motion of Mr. Eddins to concur in the majority report of the Conference Committee, which was adopted, and the Senate did concur in said Conference report.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Allen	Engelhardt	Leonard	Robison
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)
Dyar	Jones		

—29

Nay: Mr. Coleman.

—1

And said Bill, H. B. 98, as thus amended by the Conference report, was again read at length and passed.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Allen	Engelhardt	Leonard	Robison
Boutwell	Flowers	Little	Van Antwerp
Bradford	Goodwin	Metcalf	Vann
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—25

Nays: Messrs. Calvin, Coleman, Moses and Skidmore.

—4

Mr. Roberts moved that the Senate reconsider the vote by which it passed the Bill, H. B. 98, as amended by the Conference report, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Boyd, Stokes and Bassett:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Also:

By Messrs. Simon, Murphy and Tyson:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

AN ACT

To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Clerk of the Circuit Court of Mobile County, Alabama, may employ at public expense one Clerk to serve as Clerk of the Criminal Division of said Court to be known as the Chief Assistant to the Clerk of said Court and authorized to perform all of the official duties of the Clerk of said Court, who shall be an employee of the Clerk of said Court and as such may be discharged or otherwise dealt with by the Clerk of said Court in all respects as may be done between private employer and employee, such Chief Assistant to discharge the duties imposed upon him or her by law and by the Clerk of said Court.

Section 2. That such Chief Assistant shall be paid a salary of \$5400.00 per year, payable in equal monthly installments out of the Treasury of Mobile County, Alabama.

Section 3. That the Chief Assistant to the Clerk of said Court, provided for herein, before he or she enters upon his or her duties herein

prescribed, must take the oath directed to be taken by the officers of this state, and give bond with surety, payable to the said Clerk of said Court, in such sum as he may prescribe. Upon this bond the said Chief Assistant to the Clerk of said Court shall be liable to the said Clerk of said Court in consequence of any act of misfeasance or malfeasance of such Chief Assistant in the duties of his or her office. Said bond must be approved by the said Clerk of said Court, and be filed and recorded in the office of the Judge of Probate for said County, and the premiums for said bond paid from funds of the Treasury for said County.

Section 4. That all laws, general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON
JOHN M. TYSON
GARET VAN ANTWERP, 3rd

Register July 14, 21, 28, Aug. 4.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON.

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,
Notary Public.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, be and the same is hereby amended to read as follows:

"That such Chief Clerk be paid a salary of not less than \$4800.00 per year nor more than \$5800.00 per year, payable in equal monthly installments."

Section 2. That this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON
JOHN M. TYSON
GARET VAN ANTWERP, 3rd

Register July 14, 21, 28, Aug. 4.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON.

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,
Notary Public.

Also:

By Messrs. Murphy and Simon:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 Regular Session of the Alabama Legislature:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section One: The boundaries of the City of Mobile are hereby so altered, rearranged and fixed as to be as follows:

Commencing at the intersection of the West Harbor Line of Mobile River and the Township Line between Township 3 South and Township 4 South; thence Eastwardly along said Township Line to the point where the same intersects the East Boundary Line of Mobile County; thence Southwardly along said Mobile County Boundary Line to the point where the same passes under the Tensaw River Bridge on U. S.

Highway 90; thence due South to the point of intersection with the Township Line between Township 4 South and Township 5 South; thence Westwardly along said Township line between Township 4 South and Township 5 South to the point where the same intersects the North right-of-way line of the Louisville and Nashville Railroad; thence Southwestwardly along the North right-of-way line of the Louisville and Nashville Railroad to the West bank of Dog River; thence Northwardly along the West bank of Dog River to the North bank of Bolton Branch; thence Northwestwardly along the North bank of Bolton Branch to the Range line between Range 1 West and Range 2 West of the St. Stephens Meridian; thence due North along said Range line to the Township Line between Township 3 South and Township 4 South; thence Eastwardly along said Township Line to the point where the same intersects the center line of St. Stephens Road (U. S. Highway 45); thence Southeastwardly along the center line of St. Stephens Road to the point where the same intersects the South property line of Alley No. 1 (Prichard Lane); thence Northeastwardly along the South property line of Alley No. 1 (Prichard Lane) to the point where the same intersects the East property line of College Avenue; thence Southeastwardly along the East and North property line of College Avenue to the North property line of Sweeney's Lane; thence Southwestwardly along the North property line of Sweeney's Lane to the West bank of Toulmin's Branch; thence Southeastwardly along the West bank of Toulmin's Branch to a point directly West of the South boundary line of the City of Prichard; thence Eastwardly, Northerly and Eastwardly along the Prichard Boundary line to the Southeast corner of the Craftview Court Subdivision; thence directly East to the point of intersection with the West boundary line of West Highlands Subdivision; thence Northwardly along the West boundary line of West Highlands Subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of said subdivision to the West right-of-way line of Telegraph Road; thence Northwestwardly along said right-of-way line to the South right-of-way line of the Bay Bridge Road; thence Eastwardly along said South right-of-way line to the East right-of-way line of the Southern Railroad; thence Northwestwardly along the East right-of-way line of the Southern Railroad to the South boundary line of Paper Mill Road; thence Eastwardly and Southeastwardly along the South right-of-way line of Paper Mill Road to the point where the same intersects the East line of Section 34, Township 3 South, Range 1 West; thence Southwardly along said section line to the Township line between Township 3 South and Township 4 South and thence Eastwardly to the point of beginning at the intersection of said Township line and the Western shore line of Mobile River.

Section Two: This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY,
OTTO E. SIMON,
GARET VAN ANTWERP.

Reg., July 14, 21, 28, Aug. 4

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON:

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Huddleston:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the legislature of Alabama, at its 1955 session, for the passage of an Act which is in substance as follows:

AN ACT

To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Colbert County is hereby authorized and will provide an office in the Court House of Colbert County, Alabama, or at such other suitable place as may be provided by the Board of Revenue of Colbert County, Alabama, or at such other suitable place as may be provided by the Board of Revenue of Colbert County, for and to be used by the Solicitor of the Colbert Law and Equity Court, and it shall be the duty of the Board of Revenue of Colbert County to provide such office with telephone service. The said office space as provided shall be subject to the approval of the said Solicitor of the Colbert Law and Equity Court.

Section 2. That all laws, both local and general, in conflict with this act be, and the same are, hereby repealed.

Section 3. That this act shall take effect immediately upon passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA, COLBERT COUNTY.

W. F. Miller personally appeared before me this 2nd day of August, 1955, and upon oath states that he is the publisher of Colbert County Reporter, a newspaper of general circulation in the city of Tuscumbia, County of Colbert, State of Alabama, and further declares that the above notice is a true copy which appeared in the said Colbert County Reporter on July 7, 14, 21 and 28, 1955.

W. F. MILLER

Subscribed to and sworn before me this 2d day of August, 1955.

A. B. MURPHREE,
Notary Public.

My Commission Expires September 25, 1955.

Also:

By Mr. Kelly:

H. 897. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of director of finance for Winston County.

Section 2. The director of finance, who must be a qualified elector of Winston County, shall be appointed by the Governor for a term of six years from a list of nominations submitted by the member of the Senate who represents Winston County, and the member of the House of Representatives from Winston County.

Section 3. The director of finance shall receive a total salary of five thousand dollars (\$5,000.00) per annum to be paid as follows: Two thousand five hundred dollars (\$2,500.00) per annum to be paid in equal monthly installments from the public road and bridge fund of the county; one thousand seven hundred fifty dollars (\$1,750.00) per annum to be paid in equal monthly installments from the general fund of the county; and seven hundred fifty dollars (\$750.00) per annum to be paid in equal monthly installments from public school funds of the county.

Section 4. The court of county commissioners shall provide the director of finance with the office space, equipment, postage, and other supplies necessary for the performance of his duties as provided for by this Act.

Section 5. The director of finance shall have the authority to hire the assistants necessary to carry out the provisions of this Act. The compensation of such assistants shall be fixed by the director of finance, with the advice and consent of the highway board and the court of county commissioners. The compensation of each assistant shall be paid as follows: Fifty per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public road and bridge fund of the county; thirty-five per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the general fund of the county; and fifteen per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public school funds of the county.

Section 6. Before entering upon the discharge of his duties, the director of finance must give bond in the sum of twenty-five thousand dollars (\$25,000.00), such bond to be payable to Winston County and conditioned as prescribed by law for faithful performance of his duties, and recorded in the office of the judge of probate. Any penalty or forfeiture accruing to Winston County under the terms of the bond shall be apportioned among the public road and bridge fund, the County general fund, and the public school fund in accordance with the amount of loss suffered by each fund as a result of any act, or the failure to act, on the part of the director of finance. The premium on such bond shall be paid as follows: One-third of the amount of the premium shall be paid from the public road and bridge fund of the county; one-third of the amount of the premium shall be paid from the general fund of the county; and one-third of the amount of the premium shall be paid from the public school funds of the county.

Section 7. The director of finance shall perform the following duties:

(1) He shall install, maintain, and keep all accounting and reporting records required by law to be kept by both the highway board and the court of county commissioners.

(2) He shall prepare and present to the highway board for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses of the highway board for the next succeeding fiscal year.

(3) He shall prepare and present to the court of county commissioners for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses for the several divisions of the county government for the next succeeding fiscal year.

(4) He shall require the adoption of a budget by the highway board, and upon the adoption of a budget by the highway board, he shall be responsible for the execution of the budget, so adopted and shall audit all claims and insure that all expenditures from the public road and bridge fund are made in strict compliance therewith.

(5) He shall require the adoption of a budget by the court of county commissioners, and upon the adoption of a budget by the court of county commissioners, he shall be responsible for the execution of the budget so adopted, and shall audit all claims and insure that all expenditures of county funds are made in strict compliance therewith.

(6) He shall have direct control of, and responsibility for, all property of the county over which the highway board or court or county commissioners has authority, and he shall maintain and keep such property in repair at all times. All machinery, equipment, and other such property which is used in the construction and maintenance of county roads and bridges shall be kept in a central location designated by the director of finance, except when such machinery, equipment, or property is actually being used in the construction and maintenance of county roads and bridges.

(7) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the highway board has authority, and he shall insure such property as the highway board may direct.

(8) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the court of county commissioners has authority, and he shall insure such property as the court of county commissioners may direct.

(9) He shall receive and safely keep all funds of the county in their separate and proper accounts, as may be provided by law, in a depository designated by the court of county commissioners, and he shall disburse all funds of the county in the name of the highway board, or the court of county commissioners, as the case may be, on his signature as director of finance.

(10) He shall be charged with the safekeeping of all securities and investments of the county under the jurisdiction of either the highway board or the court of county commissioners, and shall have authority to rent, at the expense of the county and payable from the general fund of the county, ample and safe bank storage space to insure the safe keeping of such securities and investments.

(11) He shall, when he deems proper, examine or cause to be examined the accounts and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for the recovery of money due the county against any defaulters.

(12) He shall, when he deems proper, examine or cause to be examined the accounts and records of any division of the county government disbursing or using county funds.

Section 8. The director of finance shall act as county custodian of school funds in the same manner and to the same extent as may be required by general law of county custodians of school funds.

Section 9. The director of finance is hereby charged with the duty of purchasing all supplies, materials, equipment and contractual services, excluding contracts for professional or other personal services, for Winston County which the highway board, court of county commissioners, and county board of education are authorized by law to purchase for use of the county. No purchases may be made for the use of the highway board or court of county commissioners, or for any office or department of the county government under the jurisdiction of either the highway board or court of county commissioners, except upon requisition signed by a majority of the members of the highway board or the court of county commissioners, as the case may be. No purchase for the use of the county board of education shall be made except upon requisition signed by the county superintendent of education. The county superintendent of education, however, in the management and expenditure of county school funds, shall continue to be governed by all general and local laws applicable to him, except insofar as the provisions of this Act are applicable.

Section 10. The director of finance shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment and contractual services when the amount involved is five hundred dollars (\$500.00) or more. If the purchase involves an amount of less than five hundred dollars (\$500.00), the director of finance may make such purchases either upon the basis of sealed bids, or in the open market, in his discretion. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than five hundred dollars (\$500.00) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the director of finance at the time and place stated in the invitations. The director of finance shall award the purchase to the lowest responsible bidder, or, if the public interest is best served thereby, he may reject all bids and purchase in the open market, if the price paid in the open market does not exceed that of the lowest responsible

bidder. All bids, with the names of the bidders, shall be entered on a permanent record, and each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award of the order or contract, be open to public inspection. Preference shall be given to supplies, materials, and equipment produced or sold in Winston County, provided there is no loss in price or quality.

Section 11. The director of finance shall obtain information from the division of purchases and stores of the state department of finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the division of purchases and stores.

Section 12. In an emergency, a purchase may be made without competitive bids and without obtaining information from the division of purchases and stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased shall be at once prepared by the director of finance and filed in his office. The provisions of this Act regarding competitive bidding and obtaining information from the division of purchases and stores may be waived for purchases of perishable commodities, utility services, and commodities and services for which there is no competitive situation.

Section 13. In the event of the sale, trade, or other disposition of any property of any kind or nature over which the highway board, court of county commissioners, or county board of education has authority, the director of finance shall follow the procedure outlined in this Act as it relates to the obtaining of written, sealed, competitive bids, and the sale, trade, or other disposition of such property shall be made in accordance with the most advantageous offer made for such property. In the event any such property is sold, traded, or otherwise disposed of, all bids, with the names of the bidders, shall be entered on a permanent record, and the record shall be open to public inspection.

Section 14. The court of county commissioners shall designate as the county depository an incorporated bank in Winston County, and all funds of the county, including public school funds, shall be placed in the depository so designated. The designation of the county depository, and the management of county funds in the depository shall be made in the manner provided for by general law, except as otherwise provided for by this Act. All warrants drawn upon the depository, except for warrants drawn upon public school funds, must be signed by the director of finance, who shall be liable for any warrant drawn and paid by the depository from any funds, except public school funds, without the authority of law.

Section 15. The highway board, the court of county commissioners, and the county board of education shall continue to have the same powers and duties as provided by law, except as otherwise provided for by this Act.

Section 16. The office of the treasurer of the highway board, and the office of the county treasurer, are both hereby abolished. All books, records, equipment, supplies and other property under the authority and supervision of the treasurer of the highway board and the county treasurer shall immediately be transferred to the office of the director of finance upon the appointment of a director of finance.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FA-12-21-28-1-4-11

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of the Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 21st day of December, 1954, and the last copy of said publication appearing in the said paper on the 11th day of January, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 3rd day of August, 1955.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Edwards (Escambia):

H. 872. Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county

roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The roads and bridges of Escambia County shall be constructed, repaired, and maintained hereafter on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The Board of Revenue of Escambia County shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair, and maintenance of the roads and bridges of the entire county. The budget shall specify the roads and bridges to be repaired and where new roads and bridges are to be located and constructed, and shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in cases of emergency upon a unanimous vote of the Board.

Section 2. Immediately upon the effective date of this Act, the director of the State Highway Department shall appoint a road superintendent for Escambia County. The county road superintendent shall have general supervision of the road and bridge work of the county, under the direction of the Board of Revenue, and shall devote his entire time and attention to the duties of his office. It is expressly provided, however, that the Board of Revenue shall have no authority to appoint, or terminate the employment of, the road superintendent until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the director of the State Highway Department. After the first Monday after the second Tuesday in January, 1957, the county road superintendent shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

Section 3. Subject to the direction of the Board of Revenue, and in accordance with the road and bridge budget adopted by the Board, the county road superintendent shall:

- 1) Exercise general supervisory powers over the construction and maintenance of the county public roads and bridges, which construction and maintenance work shall be performed on the basis of the county as a unit, without regard to any district lines;
- 2) direct the work of the county engineer;
- 3) employ, and when necessary terminate the employment of, such employees as are necessary properly to construct, repair, and maintain the county public roads and bridges;
- 4) confer with the members of the Board of Revenue from time to time toward the end that the policies of the Board may be understood and accurately carried out; and
- 5) perform such other duties as may be required of him by the Board of Revenue.

Section 4. The county road superintendent is hereby designated as the person authorized to make written requisition upon the county pur-

chasing agent for all articles, materials, supplies, and equipment necessary for the construction, repair, and maintenance of roads and bridges.

Section 5. The county road superintendent shall be the custodian of, and shall be accountable for, all road tools, machinery, supplies, and equipment of Escambia County, including all road tools, machinery, supplies, and equipment now owned by the county or any district thereof. The Board of Revenue shall furnish the necessary storage facilities for the tools, machinery, supplies and equipment; and the county road superintendent shall keep on file in his office, at all times, a current inventory of all tools, machinery, supplies, and equipment belonging to Escambia County.

Section 6. Subject to the approval of the Board of Revenue, the county road superintendent shall fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges.

Section 7. As compensation for the services required of him by this Act, the county road superintendent shall receive an annual salary of five thousand four hundred dollars (\$5,400), payable in equal monthly installments from the gasoline tax or road and bridge funds of the county, on warrants drawn by the chairman of the Board of Revenue.

Section 8. Before entering upon the discharge of his duties, the county road superintendent shall execute a bond in the amount of seven thousand five hundred dollars (\$7,500.00), payable to Escambia County, conditioned upon the faithful discharge and performance of his duties, and upon the faithful accounting of the monies or property of the county which may come into his possession. The premiums on the bond shall be paid by the county.

Section 9. Immediately upon the effective date of this Act, the director of the State Highway Department shall appoint a county engineer for Escambia County. The county engineer shall possess all the qualifications prescribed for county engineers by the general laws of this State, and, except as otherwise provided herein, shall perform all the duties required by general law of county engineers. The salary of the county engineer shall be six thousand six hundred dollars (\$6,600) per annum, which salary shall be paid in equal monthly installments from the gasoline tax or road and bridge funds of the county, on warrants drawn by the chairman of the Board of Revenue. During his term of employment, the county engineer shall reside in Escambia County. It is expressly provided that the Board of Revenue shall have no authority to appoint, or terminate the employment of, the county engineer until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the director of the State Highway Department. After the first Monday after the second Tuesday in January, 1957, the county engineer shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

Section 10. Immediately upon the effective date of this Act, the State Purchasing Agent shall appoint a purchasing agent for Escambia County. The Board of Revenue shall have no authority to appoint, or terminate the employment of, the county purchasing agent until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the State Purchasing Agent. After the first Monday after the second Tuesday in January, 1957, the county purchasing agent shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

The county purchasing agent shall purchase for the county officials, the county offices, and every department of the county, all books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, tools, materials, supplies, and contractual services needed by such county officials, offices, and departments. Subject to the approval of the Board of Revenue, the purchasing agent shall have authority:

1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;

2) to operate a central storeroom;

3) to require county officers, offices, and departments to prepare estimates of requirements;

4) to transfer among the county officers, offices, and departments surplus supplies, equipment, and materials, or to sell surplus or obsolete items after receiving at least three competitive bids upon such surplus or obsolete items;

5) to promulgate reasonable rules and regulations governing the acquisition of supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 11. The purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of or contracts for, supplies, equipment, materials, and contractual services when the amount involved is two hundred fifty dollars (\$250.00) or more. If the purchase or contract involves an amount of less than two hundred fifty dollars (\$250.00), the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of the section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred fifty dollars (\$250.00) for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the state purchasing agent. In an emergency arising from any unforeseen causes, including delay by contractors, delay in transportation, breakdown in machinery or other work stoppage, and unanticipated volume of work, the purchasing agent may negotiate a purchase costing two hundred fifty dollars (\$250.00) or more by soliciting three competitive bids informally, either verbally or by telephone, telegraph, or letter, and without obtaining information from the division of purchases and stores. The provisions of this Act regarding three competitive bids and obtaining information from the division of purchases and stores may be waived in cases of emergency involving actual danger to life or property, and for purchases of perishable commodities, items and services of a technical or specialized nature, utility services, and commodities or services for which there is no competitive situation. The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of small purchases costing no more than ten dollars

(\$10.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception. All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased by the purchasing agent, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 12. Supplies, materials, equipment, and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the articles will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

Section 13. The purchasing agent shall keep a current inventory of all property owned or leased by the county, which inventory record shall show where such property is located and in whose possession or under whose control it is.

Section 14. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of fifteen thousand dollars (\$15,000). The bond shall be payable to Escambia County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county. As compensation for the duties required of him by this Act, the county purchasing agent shall receive an annual salary of five thousand four hundred dollars (\$5,400), payable out of the county general fund in equal monthly installments on warrants drawn by the chairman of the Board of Revenue.

Section 15. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REP. MALCOLM EDWARDS

(Escambia County) 7-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Brooks, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the The Brewton Standard, a newspaper

of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

W. E. BROOKS, JR.,
Editor.

Sworn to and subscribed before me Aug. 4, 1955.

PEARL KEEBLE,
Notary Public.

Also:

By Mr. Edwards (Escambia):

H. 873. To repeal Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Section 1. Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board, is expressly repealed.

Section 2. This Act shall become effective upon the expiration of the terms of the incumbent members of the Board of Revenue of Escambia County, as provided by the Constitution of Alabama.

The said Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, reads substantially as follows, to-wit:

Section 1. That the Board of Revenue of Escambia County, Alabama, is hereby authorized to allow and pay to each member of said Board, for his necessary, usual and monthly expenses, incurred by said members in the performance of their public official and legal duties,—the sum of (\$75.00) Seventy-Five Dollars per month on the last day of each month and out of any of the funds of said county,—except the gasoline tax fund revenues of said county. This Act being agreed to by all the members of said Board of Revenue.

Section 2. That said members of said Board,—may do so,—but are not required or compelled by law, to use, furnish, operate, maintain and repair their privately owned automobiles,—to inspect the county public roads of said county, or to inspect and supervise the construction, repair and maintenance of the county public roads and bridges of said county,—at their own personal and private expense. No Local Law of said County, to the contrary notwithstanding, if any there be. That all such Local Laws, if there be any, to the contrary, are hereby repealed.

Section 3. That this law is like a law of the same kind, being Local Act No. 383 of said county, approved September 16, 1947 and which

Act expired September 16, 1949, as shown by the Local Acts of Alabama of the year 1947. That this law shall go into effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.

REP. MALCOLM EDWARDS.

(Escambia County) 7-4t

PROOF OF PUBLICATION

STATE OF ALABAMA,
 ESCAMBIA COUNTY:

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of July 14, 1955, July 21, 1955, July 28, 1955, August 4, 1955.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks. The attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama.

W. E. BROOKS, JR.,
 Editor.

Subscribed and sworn to before me this 4 day of Aug., 1955.

PEARL KEEBLE,
 Notary Public, Escambia County, Ala.

Also:

By Messrs. Broadfoot and Haltom:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
 COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The salary of the chief deputy sheriff for Lauderdale County shall be fixed by the governing body of Lauderdale County in an amount not to exceed four thousand two hundred dollars (\$4,200.00) per annum, payable in twelve equal monthly installments out of the Treasury of the County upon the warrant of the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Milton C. Grisham
State Senator
Robert H. Broadfoot
Representative
E. B. HALTOM, JR.
Representative

6-30, 7-7, 14, 21.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. May, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

H. S. MAY.

Sworn to and subscribed before me August 4, 1955.

MARY B. LEWIS,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 931. To the Committee on Judiciary.

H. B.'s 869, 903, 901, 900, 905, 897, 872, 873 and 888. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Gist and Money:

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA, COUNTY OF JACKSON.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sheriff of Jackson County is hereby authorized to appoint, immediately upon the effective date of this Act, three deputies in addition to the chief deputy provided for by law. The sheriff shall certify the names of the deputies appointed by him to the court of county commissioners, board of revenue, or like county governing body of Jackson County. Each such deputy shall be a qualified elector of Jackson County, and shall serve at the pleasure of the sheriff.

Section 2. The deputies provided for herein shall have the same powers, duties and authority as deputy sheriffs under the general laws of this State, and shall be subject to the supervision and control of the sheriff at all times. For the performance of their official duties, each such deputy shall receive a salary of two thousand seven hundred dollars (\$2,700.00) per annum, payable in equal monthly installments out of the general funds of the county.

Section 3. The court of county commissioners, board of revenue, or like county governing body of Jackson County is hereby authorized to pay to the sheriff of the county the sum of one thousand two hundred dollars (\$1,200.00) per annum, payable in equal monthly installments out of the general funds of the county, to defray the operational and maintenance cost of transportation incurred by the three deputies provided herein in the performance of their official duties.

Section 4. Act No. 209, S. 313, approved June 22, 1943 (Local Acts of Alabama, 1943, p. 110); Act No. 95, H. 403, approved June 18, 1951 (Acts of Alabama, 1951, p. 317); Act No. 96, H. 404, approved June 18, 1951 (Acts of Alabama, 1951, p. 318); and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me July 23, 1955.

C. O. REED,
Notary Public.

Also:

By Messrs. Gist and Money:

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 65, H. 81, approved November 5, 1950, the Act which created the board of revenue for Jackson County and abolished the court of county commissioners (Acts of 1950-51, Vol. I, p. 126), is amended to read as follows:

"Section 3. At the general election in November, 1952, and every four years thereafter, the qualified electors of Jackson County shall elect from the county at large a chairman of the Board of Revenue and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for chairman of the Board must be a qualified elector and legal resident of Jackson County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district he seeks to represent. The chairman and members of the Board shall assume office the first Monday after the second Tuesday in January, 1953, and every four years thereafter. They shall hold office for a term of four years and until their successors are elected and qualified. The chairman shall be paid a monthly salary of three hundred dollars (\$300) per month, to be paid from the county treasury; and he shall receive no other compen-

sation except as may be specifically provided herein. Each member of the Board shall receive twelve dollars (\$12) for each day's service, not to exceed forty eight dollars (\$48) per month and travel expenses of ten cents per mile travelled in attending regular and special meetings of the Board."

Section 2. Section 4 of said Act No. 65, as amended, is amended further to read as follows:

"Section 4. The chairman and each member of the Board shall, before entering upon the duties of his office, take the statutory oath of office and make and file with the Judge of Probate a bond, with good and sufficient sureties, payable to Jackson County, and conditioned upon the faithful performance of the duties of his office. The bond of the chairman is hereby fixed at five thousand dollars (\$5,000); the bond of each other member shall be two thousand dollars (\$2,000). In the case of a vacancy on the Board, such vacancy shall be filled by appointment by the Governor for the unexpired term. Neither the chairman nor any member of the Board shall hold any other remunerative public office."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me August 1, 1955.

C. O. REED,
Notary Public.

Also:

By Mr. Kelly:

H. 802. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by The State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws; and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws; and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Winston County. The Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221) is hereby abolished.

Section 2. The county governing body of Winston County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring rights of way for the establishment and changing of county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Winston County shall have no authority:

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

(b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

(c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Winston County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter on or before the tenth day of each month, the county treasury, the county governing body and all other county officials of Winston County shall pay over to the State Highway Department all funds collected or received as taxes, including the motor vehicle license tax allocated to the county, or otherwise by them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Winston County subject to the provisions of this Act.

Section 5. Persons employed by Winston County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after January 1, 1957.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Winston County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of funds to be paid over to the Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Winston County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) here of in the event the funds paid over to the State Highway Department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Winston County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Winston County for road and bridge work from any source whatsoever. The State Highway Department shall retain, and the appropriate state officials are authorized to pay over to it, any funds or amounts to which Winston County shall be entitled to from the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Winston County is entitled, received by the State Highway Department for road work in Winston County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Winston County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. At the time the governing body of the county transfers to the Department county-owned road equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the County and by the department, and in the event this Act is repealed or becomes inoperative, the department shall return to the County road equipment, machinery, and supplies of like kind and equal value.

Section 10. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are hereby declared to be severable in nature and should any Section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion or portions of said Act remaining.

Section 12. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

SHB - 5-17-24-31-6-7

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 17th day of May, 1955, and the last copy of said publication appearing in the said paper on the 7th day of June, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 14th day of July, 1955.

R. J. THORNTON,
Notary Public.

Also:

By Messrs. Bradford and McNider:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Witnesses summoned and attending on behalf of the State in all criminal cases in the Inferior Court of Clarke County, created by Act No. 195, S. 572, approved July 24, 1947 (Local Acts, 1947, page 110), shall be allowed the same compensation, mileage, ferriage and toll prescribed under the general law for witnesses in such cases in county courts, but certificates shall be issued to them and their compensation paid in the manner hereinafter prescribed; provided such certificates are presented for payment within six months after issuance thereof. On failure to present such certificates within six months from their issuance claims for such witness' fees shall be forever barred.

Section 2. After the trial or continuance of a case for the term, or the discharge of the witness by the court, the clerk of the court, upon the application and on the oath of the witness, shall issue to him a certificate stating the number of days he has attended, the case in which he attended, the number of miles traveled, the necessary ferriage and toll, and the total amount due him.

Section 3. Immediately after the adjournment of the court for the term, the clerk shall enter in a book to be kept for that purpose a certified list of all the certificates issued by him during the term; showing to whom issued, the case in which each witness attended, and the amount due each witness. Upon the completion of said list said book shall be delivered to the clerk of the commissioners court to be kept by him.

Section 4. It shall be the duty of the county treasurer, depository, or other custodian of county funds to pay each of said certificates on its presentation by the owner thereof within six months after the issuance thereof, and to take up and cancel each one as it is paid. The county treasurer, depository, or other custodian of county funds is authorized and directed before each term of county court to retain out of the general fund of the county an amount sufficient to pay said certificates as herein provided.

Section 5. Whenever the costs in any criminal case in said court are imposed on the defendant or on the prosecutor the fees of witnesses for the state shall be taxed as costs against the person on whom they were imposed, as now provided by law; and when such witness fees are so collected they shall be paid by the officer collecting the same to the county treasurer, depository, or other custodian of county funds.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CLARKE COUNTY

I, G. A. Carleton, do hereby certify that I am the publisher of The Clarke County Democrat, a newspaper published weekly in Clarke County, Alabama; and I do further certify that the attached notice was published in said newspaper once a week for four consecutive weeks in those issues dated, respectively, July 7, 1955, July 14, 1955, July 21, 1955 and July 28, 1955.

G. A. CARLETON.

Subscribed and sworn to before me on this the 4th day of August, 1955.

JULIA M. HELMS,
Notary Public, Clarke County, Alabama.

Also:

By Messrs. Bradford and McNider:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the current session of the Legislature of Alabama, substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 7 of an Act entitled "An act to provide for the election of a county Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 24, 1932, and

heretofore amended by Act approved August 6, 1947, be and the same is hereby further amended to read as follows: Section 7. The annual salary of such Superintendent of Education shall be not less than fifty-four hundred dollars (\$5400.00), nor more than six thousand dollars (\$6000.00), which salary shall be fixed by the County Board of Education of Clarke County, Alabama, and shall be payable in equal monthly installments. In addition to his salary, fixed as herein provided, he shall be allowed and paid the additional sum of Seventy-five Dollars (\$75.00) each month as constituting reimbursement for traveling expenses incurred in the performance of his duties.

Section 2. That this Act shall become effective on July 1, 1957. 10-4t

**STATE OF ALABAMA,
CLARKE COUNTY.**

I, G. A. Carleton, do hereby certify that I am the publisher of The Clarke County Democrat, a newspaper published weekly in Clarke County, Alabama; and I do further certify that the attached notice was published in said newspaper once a week for four consecutive weeks in those issues dated, respectively, June 9, 1955, June 16, 1955, June 23, 1955 and June 30, 1955.

G. A. CARLETON,

Subscribed and sworn to before me on this the 4th day of August, 1955.

JULIA M. HELMS,
Notary Public
Clarke County, Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 844, 845, 802, 895 and 896. To the Committee on Local Legislation.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Pardons and Paroles.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 16, 1955.

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I have appointed, subject to your confirmation, Mr. W. H. Swearin-

gen, Phil Campbell, Alabama, as a member of the Board of Pardons and Paroles, for the term expiring June 30, 1961.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Senate confirmed the appointment of Honorable W. H. Swearingen, Phil Campbell, Alabama, as a member of the Board of Pardons and Paroles, for the term expiring June 30, 1961, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

RECESS

At 12:55 P. M., on motion of Mr. Engelhardt, the Senate took a recess until 2:30 this afternoon.

AFTERNOON SESSION THIRTY-FIRST LEGISLATIVE DAY TUESDAY, AUGUST 16, 1955

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Also:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

Also:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed

the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Also:

H. J. R. 64. Relative to Congressional Legislation extending age limit of aid to dependent childrens' eligibility under the Federal Social Security Act.

Also:

H. 295. To amend Sections 42, 44 and 45 of Title 36, Code of Alabama (1940), as amended, which relate to lighting equipment required on motor vehicles.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Also:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

GEO. W. YARBROUGH,
Vice Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bradford:

S. B. 361. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Committee on Forestry and Conservation.

By Mr. Robison:

S. B. 362. To amend Section 695 of Article 8 of Title 51 of the Code of Alabama of 1940.

Committee on Finance and Taxation.

By Mr. Robison:

S. B. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit:

Commencing at the Southeast corner, Sec. 9, T16N, R18E, Montgomery County, Alabama, thence North along the East line of said Sec. 9, a distance of 1632.5 feet to a point, said point being the point of beginning and, also, Southeast corner of the Plat of Forest Hills, Plat No. 1, thence West along the South boundary of the plat of Forest Hills, Plat Nos. 1, 2 and 3, and Westerly along the extension of the South boundary of the said Plats 1, 2 and 3 of Forest Hills, to the half section line running North and South through the center of Sec. 9, T16N, R18E, thence North along said half section line running North and South through the center of Sec. 9, T16N, R18E, to the Northwest corner of the Southeast quarter of Sec. 9, T16N, R18E, thence East along the half section line running East and West through the center of Sec. 9,

T16N, R18E to the East line of Sec. 9, T16N, R18E, thence South along the East line of Sec. 9, T16N, R18E, to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

**THE STATE OF ALABAMA
COUNTY OF MONTGOMERY**

Before me, I. B. Smith, a Notary Public, in and for said County and State personally appeared P. W. Walsh for Advertising Manager "The Advertiser Company", publishers of The Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama, who deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on the following dates: July 23, July 30, August 6 and August 13, 1955.

P. W. WALSH.

Sworn to and subscribed before me this the 16 day of August, 1955.

I. B. SMITH,
Notary Public.

By Mr. Robison:

S.B. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN THAT A BILL SUBSTANTIALLY AS FOLLOWS WILL BE INTRODUCED AT THE 1955 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA AND APPLICATION FOR ITS PASSAGE AND ENACTMENT WILL BE MADE.

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit: Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 25, Township 16 north, Range 17 east, which point is the intersection of the Montgomery City Limit and the center line of Cleveland Avenue, and also the point of beginning; thence travel west along the Montgomery City limit line to the intersection of the west boundary of the Atlantic Coastline Railroad right-of-way; thence southeasterly along the west boundary of the Atlantic Coastline Railroad right-of-way to the intersection of the north boundary of the Southern

Bypass; thence east along the north boundary of the Southern Bypass to the intersection of the center line of Cleveland Avenue, which line is also a Montgomery City limit boundary; thence north along said center line of Cleveland Avenue back to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective October 1, 1955.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for the State and County aforesaid, personally appeared P. W. Walsh, who first being duly sworn according to law deposes and says that: he is Secretary for The Advertiser Company, publishers of The Alabama Journal and that the advertisement of Capell, Howard & Cobbs appeared in said publication on July 20, 27, August 3, 10, 1955 and there is now due on said account the sum of \$..... which is due, just and unpaid and that no part of said account has been paid except as herein specified.

P. W. WALSH.
Secretary.

Sworn to and subscribed before me this 11 day of August, 1955.
T. A. HARDY,

Notary Public Montgomery County Alabama.

REPORTS OF COMMITTEES.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Franklin, Johnson (Tallapoosa) and Adams:

H. 803. To amend further Section 15 of Title 30, Code of Alabama (1940), as amended, which relates to the remuneration of the clerk of the jury commission.

By Mr. Ashworth:

H. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

By Mr. Metcalf:

S. 311. To designate the first week in October of each year as "Employ The Physically Handicapped Week"; to create the Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Newton (With notice and proof):

S. 340. Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the re-

moval, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

By Mr. Engelhardt (With notice and proof):

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

By Mr. Roberts:

S. 357. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

By Mr. Roberts:

S. 358. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

By Mr. Allen (With notice and proof):

S. 359. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

By Mr. Kelly:

II. 939. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax. The above Bill was read a second time at length as required by the Constitution.

Mr. Newton, Chairman of the Standing Committee on Commerce and Common Carriers reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Davis and Hawkins:

H. 355. To regulate further the registration of certain motor vehicles: Prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Huddleston, Kelly, Lee (Lawrence), Broadfoot, Dement, Edwards (Escambia), Law, Vacca, Oden, Wood, Money, Hawkins, Shumate, Ferrell, Gist, Speaks, Reynolds, Roberts and Brown (Lamar):

H. 193. To define, regulate and license barbers, barber apprentices and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber apprentices, barber shops, barber colleges and like businesses, to eliminate the operation of this act in certain counties, to prescribe penalties and punishment for the violation of this act.

Also:

By Mr. Stokes:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Also:

By Messrs. Hawkins and Hanby:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 193. To the Committee on Public Health.

H. B.'s 809 and 877. To the Committee on Local Legislation.

BILLS ON THIRD READING

THE BILL:

H. 710. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

was taken up.

Mr. Davis (Pickens) offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 710

A BILL TO BE ENTITLED AN ACT

Relating to intoxicating liquors; providing for a referendum to determine whether the State shall be "wet" or "dry" under the alcoholic beverage control laws contained in Title 29, Code of Alabama (1940), and amendments thereto.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. If a majority of the electors voting in a statewide election called by the governor as hereinafter provided vote "no," every county in this State shall be a "dry" county within the meaning of the alcoholic beverage control laws contained in Title 29, Code of Alabama (1940), and amendments thereto, on and after the expiration of thirty days from the date of such election, and the status of any county shall not be changed thereafter under any existing law. If a majority of the electors voting in such election vote "yes," each county which is a "wet" county on the date the election is held shall continue to be a "wet" county within the meaning of the alcoholic beverage control law until its classification is changed as provided by existing law, and each county which is a "dry" county within the meaning of the alcoholic beverage control law on the date the election is held shall remain a "dry" county until its status is changed under existing law. The election shall be held on the first Tuesday following the expiration of three months after final adjournment of the 1955 regular session of the Legislature, and notice thereof shall be given by proclamation of the Governor by publication at least three weeks before the date of the election in a newspaper in each county, or if there be none, by posting such notice at the courthouse.

Section 2. The election provided for herein shall be held and conducted and officers appointed to hold the election in the same manner as provided by law for holding elections on constitutional amendments, and the returns thereof shall be tabulated and the results certified as provided by law for such elections. On the ballots to be used at such election the question shall be in the following form: "Do you favor the legal sale and distribution of alcoholic beverages within this State? Yes..... No....." Only qualified voters shall vote in the election, and the costs of the election, including the cost of publishing notices, shall be paid out of the general funds of the several counties.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Robison, further consideration of the Bill and pending substitute was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Meeks, Edwards (Jefferson), Nice, Vacca, Kaul, Perry, and Lackey:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Also:

By Messrs. Nice, Meeks, Vacca, Edwards (Jefferson), Kaul, Perry and Lackey:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Mr. Lee (Lawrence):

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Court of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86), as amended, is amended further to read as follows:

"Section 1. That the clerk of the Circuit Court of Lawrence County, Alabama be and he is hereby authorized to appoint a deputy clerk for said court and said deputy clerk shall hold office at the pleasure of said Circuit Clerk and shall receive a salary of two hundred dollars (\$200.00) per month, to be paid out of the general fund of Lawrence County, Alabama. Said deputy clerk shall possess all of the powers and authority both ministerial and judicial now or hereafter possessed by said Circuit Clerk, and shall also be deputy register at such time as the Clerk of the Circuit Court of Lawrence County, Alabama, is authorized to per-

form the duties of the register of said court."

28-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

JEANETTE LANG McKELVEY,

Sworn to and subscribed before me Aug. 5th, 1955.

ARTHUR F. SLATON,
Owner.

Also:

By Mr. Fite:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA, COUNTY OF MARION.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws," is amended to read as follows:

"Section 5. The County Engineer shall receive an annual salary of not more than seven thousand two hundred dollars, the exact amount to be fixed by the Board of Revenue, to be paid in equal monthly installments, which salary may not be decreased during his term of office, such salary to be paid from the gasoline tax funds of Marion County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t-7-14

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 6, 1955.

G. O. KARR,
Notary Public.

Also:

By Mr. Fite:

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section V of an act providing for the election of the County Superintendent of Education for Marion County, fixing his term of office, providing for filling vacancies therein, prescribing his salary, and the manner of its payment, defining his qualifications, pow-

ers, and duties, and providing for his successor in office, which act was approved June 3, 1935 (Local Acts of 1935, page 18), as amended, is amended further to read as follows:

"The salary of the County Superintendent of Education of Marion County shall be fixed by the county board of education in such an amount as the board may deem proper and ample, not to exceed five thousand two hundred dollars per annum. Such salary shall be paid in the same manner and from the same sources as provided by the general law for the payment of the compensation of county superintendents of education in the several counties."

Section 2. This Act shall become effective at the expiration of term of the incumbent superintendent of the office of county superintendent of education in Marion County.

4t 6-30

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 3, 1955.

G. O. KARR,
Notary Public.

Also:

By Mr. Fite:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939,

page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), which allows the sheriff of Marion County an additional deputy, as amended, is amended further to read:

"The Sheriff of Marion County, Alabama, is hereby allowed an additional deputy sheriff, who shall receive a salary of not less than nine hundred nor more than four thousand two hundred dollars per annum, to be paid in equal monthly installments out of the general fund of Marion County, the exact amount of the salary to be fixed by the Marion County Board of Revenue. The deputy sheriff shall be eligible to perform duties anywhere in the county, provided the Sheriff may from time to time assign him to perform such duties in certain precincts in Marion County as he may deem fit and proper."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-30

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 3, 1955.

G. O. KARR,
Notary Public.

Also:

By Mr. Cox:

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of an Act in substance as follows:

"A Bill to be entitled an Act to authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years to provide restrictions upon such sub-leases, to provide for the validity of such leases and sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of the City of Guntersville, Alabama, may, by resolution to be entered on its minutes, authorize the Mayor of the City of Guntersville, Alabama, on behalf of said city, to lease or sub-lease to any person whatsoever any of the real or personal property now owned by the City of Guntersville or leased to it or hereinafter acquired by said City or leased to it, under such terms and conditions as may be stated in such resolution, and a lease or sub-lease made by the Mayor for such City, in accordance with such resolution shall be binding for the term specified in the lease, not to exceed a period of ten years; provided, however, that a sub-lease of any property leased to said City may not authorize any use of such property for any purpose other than the purposes allowed by the terms of the lease to said city, nor may such sub-lease of such leasehold property be made for a term longer than the term of the lease of such property to said city, nor may a sub-lease of any leasehold property held by said city be made where sub-leasing by said city is prohibited by the terms of the lease of such property to said city, nor may a sub-lease of any property leased to said city be executed without the written consent and approval of the lessor thereof where such lessor is a governmental agency. If such lease or sub-lease is made by such Mayor for such city, in accordance with this Act and such resolution, it shall be binding and legal in all other respects.

Section 2. The provisions of this Act are severable. If any part of this Act be declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W4c-8-3

PUBLISHER'S AFFIDAVIT

"Notice" of legislative bill to authorize and empower governing body of City to lease city property.

Before the undersigned authority personally appeared F. S. Ogletree who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM a newspaper published semi-weekly in Marshall County, Alabama; that the notice attached has been published in said newspaper for four successive weeks in the issues of said paper dated July 13, 20, 27, and Aug. 3, 1955,

respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A"; that the charge for such publication is \$32.11 which affiant claims as cost.

F. S. OGLETREE.

Exhibit "A".

Subscribed and sworn to before me this 3rd day of August, 1955.

ALICE WELLS HARVEY.

Also:

By Mr. Hare:

H. 911. Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain county employees a minimum hourly wage of eighty cents.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain employees a minimum hourly wage of eighty cents.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Monroe County, is authorized, directed, and required to pay or cause to be paid to all employees of the county road department employed on a wage basis, an hourly wage of at least eighty cents (80¢).

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month commencing after the date of its enactment.

N. S. HARE,
Representative for Monroe County
Legislature, State of Alabama.

28-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955 to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of Aug. 8, 1955.

JOHN D. BONHAM,

Notary Public, Monroe County, Ala.

Also:

By Mr. Hare:

H. 912. Relating to the election of members of the County Commission of Monroe County: Providing that such members shall be elected by vote of the qualified electors of the county at large.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the election of members of the County Commission of Monroe County: Providing that such members shall be elected by vote of the qualified electors of the county at large.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Members of the County Commission of Monroe County shall be elected hereafter by the qualified electors of the county at large, and not by districts as prescribed in Act No. 211, H. 390, passed at the 1939 Regular Session of the Legislature. The members of the commission now in office shall continue in office until their successors are elected and qualified as provided by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,
Representative for Monroe County
Legislature, State of Ala.

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955 to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of August 8, 1955.

JOHN D. BONHAM,
Notary Public, Monroe County, Ala.

Also:

By Mr. Hare:

H. 913. Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners of Monroe County is hereby authorized, directed, and required to provide for the installation and use of at least eight voting machines within the county. The court of county commissioners may designate the election precincts within which voting machines shall be used and the precincts within which paper ballots shall continue to be used, and may adjust the boundaries of the election precincts or election districts within the county in order to make the most effective and practical use of the machines herein authorized. Upon the installation of voting machines in any election precinct, such machines must be used for registering or recording and computing the vote at all general, special, or primary elections thereafter held in such precinct.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,
Representative for Monroe County
Legislature, State of Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Gen. Mgr. of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,
Notary Public.

Also:

By Mr. Hare:

H. 914. Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover or cause to be covered the employees of the county, or of any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover or cause to be covered the employees of the county, or of any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Monroe County, is authorized, directed, and

required to cover or cause to be covered under the Workmen's Compensation Act (Chapter 5 of Title 26, Code of Alabama, 1940) the employees of said county, or of any agency or instrumentality thereof, including the employees of elected officials, but not the officials themselves.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,
Representative for Monroe County
Legislature, State of Alabama. 28-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955, to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of Aug. 8, 1955.

JOHN D. BONHAM,
Notary Public, Monroe County, Ala.

Also:

By Mr. Hare:

H. 915. Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of the county and county officers, offices, departments, and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of the county and county officers, offices, departments and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The provisions of this Act shall have application to all purchases made by or on behalf of Monroe County or any officer, department, or agency of said county, whether such purchase be made by the court of county commissioners, board of revenue, or like county governing body as such, or by the duly appointed and designated purchasing agent of the county. If a purchasing agent is appointed by the county governing body as authorized by law, he shall make all purchases of supplies, materials, equipment, and contractual services other than

contracts for professional or other personal services, for Monroe County or any office, officer, department, or agency of said county. Subject to the approval of the court of county commissioners, board of revenue, or like county governing body, the purchasing agent may promulgate reasonable rules and regulations governing the acquisition of such supplies, materials, equipment, and contractual services.

Section 2. The purchasing agent shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment, and contractual services when the amount involved is two hundred dollars (\$200.00) or more. If for any reason as many as three bids can not be obtained the purchasing agent may make the purchase by following the procedure authorized in Section 3 hereof relating to emergency purchases. If the purchase involves an amount less than two hundred dollars (\$200.00), the purchasing agent may make such purchase either upon the basis of sealed bids or in the open market, in his discretion. It shall be a violation of this section, however, to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred dollars (\$200.00) for the purpose of evading the requirements of this section. Invitations for bids shall be advertised in a newspaper published in Monroe County and shall be posted on a bulletin board at the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Where it is reasonably expected by the purchasing agent that the purchase will involve twenty-five hundred dollars (\$2500.00) or more, invitations for bids shall be additionally advertised in a daily newspaper having statewide general circulation. Bids shall be opened publicly by the purchasing agent at the time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and re-negotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the Division of Purchases and Stores, State Department of Finance, relative to the items to be purchased by competitive bids; and if the price to the State is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated by or through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Such record, with the successful bid indicated thereon, and with the reasons for the award, if not awarded to the lowest bidder, shall be open to public inspection after the award of the purchase is made. In the event of the sale, exchange, or other disposition of any property of the county of any nature or kind, the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, exchange, or disposition of the property of the county shall be made in accordance with the most advantageous offer made for such prospective purchases.

Section 3. A purchase may be made for the county in an emergency without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the items purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and be filed in his office. As used in this section, "emergency" is defined as a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition a road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of emergency transactions shall be open to public inspection at all reasonable times. The provisions of this Act regarding

competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 4. In making purchases, the purchasing agent shall give preference to commodities produced or sold in Monroe County, provided there is no sacrifice or loss in price or quality.

Section 5. Any member of the court of county commissioners, board of revenue, or like county governing body, or any other county officer or employee who purchases or disposes of property for or on behalf of the county contrary to the provisions of this Act, or who uses the property of the county for his own benefit or for the benefit of any private individual, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, and in addition may be imprisoned in the penitentiary for one year and one day.

Section 6. The governing body of Monroe County shall provide the purchasing agent with office quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties.

Section 7. The provisions of Act No. 211, H. 390, passed at the 1939 Regular Session of the Legislature, as amended by Act No. 162, H. 436, approved June 30, 1953 (Acts of 1953, Vol. 1, p. 202), which are in conflict with this Act are superseded by this Act.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,
Representative for Monroe County
Legislature, State of Alabama. 28-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Gen. Mgr. of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-14, 7-21, 7-28, and 8-4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,
Notary Public.

Also:

By Mr. Hare:

H. 916. Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction;

providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction; providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from the justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Inferior Court Created. There is hereby created and established in Monroe County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Inferior Court of Monroe County". It shall be in lieu of the county court, which is hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation of the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace or courts created in lieu thereof, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State, and lawmade rules governing practice and procedure courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of libel, assault and battery, ejectment or actions in the nature of ejectment or of any civil action when the matter or sum in controversy exceeds one thousand

dollars nor take cognizance of any matter or proceeding in equity except suits involving the custody and support of children.

Section 3. JUDGE (a) The judge of the Inferior Court of Monroe County shall be a resident citizen and a qualified elector of Monroe County, at the time of his appointment or elections, and shall reside in the county during his continuance in office. He shall be at least twenty-five (25) years of age, learned in the law, and duly licensed to practice law in this State. The judge of this court shall not, during the term of his office, act as an attorney in any case or matter that has previously been in or is in his court, but may practice in all other matters and courts.

(b) The first judge shall be elected by the qualified electors of Monroe County at the first general or special election held in Monroe County, at any time after the expiration of 30 days from the effective date of this Act. He shall assume the duties of his office on the first day of the month following his election and qualification and shall serve until his successor is elected, as hereinafter provided, and has qualified. His successor shall be elected by the qualified electors of Monroe County at the general election in 1956 and every 4 years thereafter. He shall serve for a term of 4 years from first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. Upon the election of the judge, the Governor shall issue a commission to him as judge of the Inferior Court of Monroe County, and before entering upon the duties of his office the judge shall take the oath of office prescribed by Section 279 of the Constitution. The judge shall be removable from office for any cause enumerated in Section 173 of the Constitution in the manner provided by law.

(c) In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office as is provided in Sections 158 and 159 of the Constitution.

(d) In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualification, or other cause, the judge shall make or cause to be made by the clerk of the court an order setting forth the reasons for his inability to sit in court, and the order shall be spread upon the minutes of the court. Thereupon the circuit judge of Monroe County shall, by an order entered on the minutes of the circuit court, designate and appoint some qualified practicing attorney of Monroe County as special judge and the person so designated and appointed shall perform all the duties and exercise all of the powers and authority of the judge and shall hold this special office until the regular judge shall resume his duties. The special judge shall receive as compensation five dollars (\$5) for each day he serves as judge. The compensation of the special judge shall be paid in the same manner and from the same funds as the compensation of the regular judge is paid.

(e) The judge shall receive a salary of thirty-six hundred (\$3600) per annum, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(f) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices

of the peace. Provide, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody and support of children.

(g) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court.

Section 4. CLERK. (a) The circuit clerk of Monroe County shall be ex officio clerk of the court hereby established. The clerk of the Inferior Court shall receive as his compensation the same fees, allowances, and costs as are now allowed by law to clerks of circuit courts in this State, and in addition thereto shall receive a fee of seventy-five cents (\$0.75) for each writ of arrest issued by him, to be taxed and collected by him as other costs are taxed and collected.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk, before entering upon the duties of his office, shall give bond in such a penal sum as may be provided by the county commission of Monroe County payable and conditioned upon the faithful performance of the duties of his office. This bond shall be approved by the judge and shall be recorded in the office of the Probate Judge of Monroe County. The premium on the bond shall be paid out of the general fund of the county.

(e) The clerk may appoint a deputy who shall hold office at the will of the clerk and who shall receive such portion of the fees provided for in this Act as the clerk shall designate. Any deputy so appointed shall have the authority to file papers and do all things herein provided in the name of the clerk.

Section 5. COSTS. (a) It shall be the duty of the clerk of the court to tax and collect in each civil and criminal case the same costs and fees for the services of the solicitor, clerk, sheriff, and the witnesses as are now required by law to be taxed, charged, and collected in the circuit courts and county courts of Monroe County. He shall disburse these costs and fees in the manner now provided by the general law of this State.

(b) The clerk shall tax in each civil or criminal case the same trial tax that under the general law would be taxed in a similar case in the circuit court, which shall be collected as all other costs are collected, and when collected this fee shall be paid into and become a part of the general fund of the county. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to the witnesses entitled to them; provide, however, witnesses shall have five days after their attendance upon the court in any case to prove their attendance and to be issued a witness certificate, and, failing therein, no costs shall be taxed on account of the attendance of the witness; and, provided further, in case civil witness certificates are not presented to the clerk for payment within ninety days after the payment of the costs in the case in

which the certificates were issued, the witness fee shall revert to the general fund of the county and shall be paid by the clerk into the county treasury.

(c) State witness fees in criminal cases shall be taxed, collected, accounted for, and disposed of as is provided under the general law.

(d) Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile in going to court and returning home therefrom. These fees shall be computed by the most direct route.

Section 6. SHERIFF. The sheriff of Monroe County, in person, or by deputy, shall attend the sessions of the court and preserve order. He shall execute all writs of processes issued therefrom and perform all other duties required to be performed by him in the circuit court. For the service of attending court the sheriff shall receive the sum of two dollars per day payable out of the general fund of Monroe County upon presentation of a certificate of the judge as to his services as other county employees are paid. For all other services rendered by him other attendance upon court, the sheriff shall receive the same costs and fees as are allowed by law for similar services in the circuit court.

Section 7. SOLICITOR. The county solicitor for Monroe County shall, without additional compensation, prosecute for the State all cases in the court.

Section 8. SESSIONS. (a) The Inferior Court of Monroe County shall be open for the transaction of all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the court house in the town of Monroeville. On the first Monday of each month there shall be held a regular session of the court for the handling, trial, and disposition of all cases therein pending. The regular session shall continue as long as necessary to dispose of the docket, but any session of the court may be dispensed with and continued by the judge when in his opinion the public necessity requires the continuance of that session.

(c) The judge shall have the power to hold special sessions at any time.

Section 9. CRIMINAL PROSECUTIONS. (a) All criminal cases in the court shall be tried by the judge thereof without a jury as provided by Section 326 of Title 13 of the Code of Alabama (1940), and the accused shall not have the right to demand a jury for trial, but in all trials of criminal cases in the court, the judge shall determine the law and the facts without the intervention of a jury, and, in case of conviction the defendant shall have the right to appeal within ten days from the rendition of the judgment to the Circuit Court of Monroe County as provided in Section 349 of Title 13 of the Code of Alabama (1940) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant as provided by law. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement signed by him of the cause of complaint in **substantially** the form provided in Section 363 of Title 15 of the Code of Alabama (1940).

(b) A party aggrieved or desiring to bring a charge of misdemeanor before this court may apply to the clerk for a warrant of arrest by making affidavit that he has probable cause for believing and does believe that an offense (designating the misdemeanor by name, or by

some other phrase which in common parlance designates it) has been committed against the person or property, as the case may be, of A B (naming the person or property, as the case may be). The clerk shall examine the affiant under oath, and other witnesses if he desires, touching the offense charged in the affidavit, and if the clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court the solicitor or other person prosecuting for the State shall have the right to amend any or all of the papers to which the objection is directed; or the solicitor may, instead of amending the papers, make a brief statement signed by him of the cause of complaint in substantially the form provided by Section 363 of Title 15 of the Code of Alabama (1940). Thereupon the court shall proceed to try the case either upon the original papers, or the original as amended, or upon the statement filed by the solicitor. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go on docket for trial and the defendant shall be tried as though he had been indicted by a grand jury except as hereinafter provided. The defendant shall not be put on trial in any cause within five days of his arrest except with his consent.

(c) When brought before the Inferior Court of Monroe County for trial, the accused, if he demands it, must be furnished with a copy of the accusation, as contained in the warrant of arrest.

(d) All general laws relating to misdemeanors, now in force or that may hereinafter be enacted, shall apply to and extend to this court unless the contrary is expressly provided or limited by the context thereof.

(e) All proceedings in the inferior court as to judgment for fine and costs, confession of judgment and execution thereon, sentence to jail or hard labor for fine and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, or final and alias warrants of arrest, shall be the same in this court as are now or may hereafter be provided by law in the circuit courts. Conditional judgments may be set aside, reduced, or made absolute and the same orders and judgments may be made and taken in these matters as could be made or taken in the circuit courts and the same procedure shall be followed.

(f) All preliminary proceedings in prosecution for felonies begun in the court may be instituted by affidavit before the judge and the writ thereon may be issued by the judge or by the clerk.

(g) On and after the effective date of this Act every indictment returned by a grand jury of Monroe County against persons charged with the commission of a misdemeanor shall immediately be transferred from the circuit court to the inferior court by order of the circuit judge, and thereupon the jurisdiction of the inferior court shall attach in those cases and the jurisdiction of the circuit court therein shall cease.

Section 10. CIVIL ACTIONS. (a) In all civil cases pending on the docket of the Circuit Court of Monroe County which are within the jurisdiction of this court, the parties thereto may, in writing filed in the circuit court, agree to transfer the causes to the Inferior Court of Monroe County. It shall be the duty of the clerk of the circuit court, immediately upon the filing of the agreement, to transfer the cases and to certify all papers and proceedings therein to the inferior court, and thereupon the jurisdiction of the inferior court shall attach and the jurisdiction of the circuit court shall cease.

(b) In all civil actions, including appeals from municipal and justice courts, the pleadings and process and the time for filing plead-

ings shall conform to and be governed by the statutes and rules obtaining in the Circuit Court of Monroe County except in issuance, levy and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this State or courts of like jurisdiction.

(c) In all civil actions when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

(d) In all civil matters transferred to this court or begun in this court by appeal from the justice of the peace courts the trial shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now obtain or govern in the circuit courts of this State except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer within twenty days, and upon his failure to do so he shall be subject to the penalties now provided by law for failure to answer interrogatories propounded in the circuit courts. Any party desiring to appeal from any judgment rendered in the inferior court shall give security for the cost of the appeal to be approved by the clerk. When the judgment is for the payment of money or for the recovery of personal property or the possession of real or personal property any party appealing who wishes to have the judgment superseded must give a supersedeas bond with good and sufficient security payable to and approved by the clerk with the condition that if he fails in the appeal he will pay the judgment that the appellate court may render in the premises and all costs and damages that any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The supersedeas bond and security for costs must be filed with the clerk within ten days from the date of rendition of the judgment.

(e) All civil cases in the court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts and either party shall have the right of appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury in the circuit court. The trial in the circuit court shall be de novo.

(f) Final judgments rendered in civil cases of this court shall after the expiration of ten days from their rendition be deemed to have passed beyond the control of the court, as if the term of court at which the judgments were rendered had ended; provided, however, nothing herein contained shall prevent the parties from filing a motion to vacate, set aside or modify the judgment, or grant a new trial or rehearing when so made. These motions shall be filed with the clerk and called to the attention of the court, and, thereupon the court may hear the motion or make an order continuing the motion to a future date; provided, however, the motion must be heard and determined within thirty days from the date of rendering the judgment.

Section 11. CONTEMPT. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this State may punish for contempt, by fine not exceeding fifty dollars (\$50) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 12. COUNTY COURT ABOLISHED AND CRIMINAL JURISDICTION TAKEN AWAY FROM JUSTICES OF THE PEACE. (a) The County Court of Monroe County is hereby abolished, and all cases

now pending in the abolished court shall be transferred from the docket of that court to the new Inferior Court of Monroe County created by this Act. The cases thus transferred shall proceed in the new court as though begun therein. This court shall have the same power to control judgments rendered by the abolished court and to issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

(b) Justices of the peace and notaries public with powers of justices of the peace in Monroe County now acting or hereafter appointed or elected shall have no preliminary or final jurisdiction in any criminal or quasi-criminal case. All such cases pending in any justice of the peace court or any court of a notary public with powers of a justice of the peace in Monroe County shall be transferred to the Inferior Court of Monroe County, and shall proceed as if begun therein. Any judgment in any criminal or quasi-criminal case rendered by a justice of the peace or notary public with powers of a justice of the peace shall be the same as if it had been rendered in the Inferior Court of Monroe County, which shall have the same powers and control over judgment, and shall issue executions and other processes thereon in all respects, as if the judgment had been originally rendered in the Inferior Court of Monroe County.

Section 13. SEVERABILITY. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such a declaration shall not effect the part which remains.

Section 14. REPEALER. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but the provisions hereof abrogating the jurisdiction of other courts in Monroe County and providing for the transfer of cases to the court, hereby established, shall not be applicable until a judge thereof has been elected and qualified pursuant to the terms of this Act, and the county court, justices of the peace and notaries public with powers of justices of the peace shall continue to exercise the powers and duties currently exercised by them under the general law until such time.

N. S. HARE,
Representative for Monroe County
Legislature, State of Ala. 28-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,
Notary Public.

Also:

By Messrs. Hall, Goodwyn, Nolen and Dawkins:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

By Messrs. Pruitt and Harvey:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(3676:6-29-55)

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947, (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 8 and 9 of Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), entitled "An Act Relating to Sumter County; creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property, "as amended by Act No. 242, H. 381, approved July 19, 1951 (Acts of Alabama, 1951, page 516), are hereby further amended to read as follows:

"Section 8. COUNTY ENGINEER. The Board of Commissioners shall appoint a county engineer in accordance with Title 12, Section 67 of the 1940 Code. The engineer shall serve at the will and pleasure of the board and shall be paid not less than three thousand dollars (\$3,000) nor more than eight thousand dollars (\$8,000) per year.

Subject to general supervision and control by the Board of Commissioners, the engineer shall have charge of the construction and maintenance of all county roads and bridges. The county engineer shall have the power, and it shall be his duty to: (1) employ, supervise, and fix the compensation for such workmen, laborers, and overseers as are necessary to construct, repair, and maintain the roads and bridges of the county; (2) supervise and control the location, placement, use, operation, and disposition of all road-and-bridge materials, supplies, tools, machinery, and equipment; (3) make recommendations concerning the location and extent of road-and-bridge construction and maintenance projects; (4) perform such engineering and surveying services as may be required by the Board of Commissioners; (5) maintain adequate accounting records; (6) perform such other duties as may be necessary in the operation of the county highway system. The county engineer shall utilize the road equipment, materials, and labor force in accordance with the needs of the entire county for road construction and maintenance, without regard to any district boundaries.

"Section 9. PURCHASING AGENT. Subject to the supervision, regulation and control of the Board of Commissioners of Sumter County, and any rules and regulations which they may see fit to promulgate from time to time in the exercise of said authority, the County Engineer of Sumter County, shall also be the Purchasing Agent of Sumter County, with the authority to purchase, trade in, exchange, barter, lease, and sell any supplies, equipment, materials, and services which Sumter County or the Board of Commissioners of Sumter County, may have authority under the law, to purchase and pay for with county funds, and use themselves in the operation of county affairs, the construction, maintenance and operation of roads, bridges, ferries and buildings, or authority under the law to furnish to County Officers, Departments and Agencies.

"Under the aforementioned authority of the Board of Commissioners of Sumter County, the County Purchasing Agent shall have the authority: To establish standard specifications for supplies, equipment and material needed by the County or the above mentioned officers, departments and agencies. To operate a central storeroom. To require the aforementioned officers, departments and agencies to submit estimates of their requirements, and to make written, signed requisitions for the supplies needed by them. To negotiate for the purchase and acquisition of all supplies, equipment, materials and contractual services needed by the county, and said officers, departments and agencies. To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

"The County Purchasing Agent shall solicit at least three written competitive bids for all purchases of supplies, materials, equipment, and contractual services, when the amount involved is one hundred dollars and more. After approval of the purchase by the Chairman of the Board of Commissioners, or any member of the Board designated by the Board, the Purchasing Agent may purchase items costing one hundred dollars or more, after soliciting three bids verbally, or by telephone, telegraph or letter. The provisions regarding three competitive bids may be waived by the Board, its chairman, or other member designated by the Board, for the purchase of specialized services, or items which are not generally rendered or handled by merchants or supply houses."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William W. Pittman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

WILLIAM W. PITTMAN.

Sworn to and subscribed before me August 4th, 1955.

R. T. MASSINGILL,
Notary Public.

Also:

By Messrs. McKay and Payne:

H. 920. To provide for the appointment of a clerk of the civil and misdemeanors court of south Talladega County, and to prescribe his qualifications, duties, and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACTSTATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for the appointment of a clerk of the civil and misdemeanors court of South Talladega County, and to prescribe his qualifications, duties, and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The judge of the civil and misdemeanors court of south Talladega County established by Act No. 235, H. 557, approved July 19, 1951, may, with the approval of the court of county commissioners, board of revenue, or other governing body of Talladega County, appoint a clerk of the court, who shall keep a civil and criminal docket and a record of all proceedings had in the court, including a direct and reverse index to all civil cases and proceedings had or pending in the court, and shall perform such other duties as may be placed upon him by the judge of the court. He shall have the authority of a constable, and may execute all writs and other process issued by the court; but the fees collected for such service shall be paid into the general fund in the county treasury. The clerk, before entering upon the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners, board of revenue, or like county governing body. Such bond shall be payable to Talladega County, and shall be

conditioned upon the clerk's faithful discharge of his duties of office. The bond shall be filed in the office of the judge of probate of Talladega County, and the premium thereon shall be paid by the county.

Section 2. The clerk of the civil and misdemeanors court of south Talladega County shall receive as compensation for the services required of him by this two hundred dollars (\$200) per month, to be paid by the county from the general fund of the county. The exact amount of the clerk's compensation shall be fixed by the judge of the court with the approval of the court of county commissioners, board of revenue, or other like governing body of the county.

Section 3. The clerk of the civil and misdemeanors court of south Talladega County must be, at the time of his appointment and during his continuance in office, a duly qualified elector of Talladega County who resides within the territorial jurisdiction of the court.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. V. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

J. V. GREER.

Sworn to and subscribed before me Aug. 4, 1955.

LEON ARCHER,
Notary Public.

Also:

By Mr. Dement:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA, COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone, and State of Alabama, be and the same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City to-wit:

All that part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 3 South, Range 4 West which lies West of the right of way of the Louisville and Nashville Railroad and South of the existing corporate limit line running East and West across the North part of said quarter-quarter section, the part therein described being more fully designated as beginning at the Southwest corner of the Southeast quarter of said Section 8 and running North along Houston Street 780 feet to the present corporate limit line; thence east along said corporate limit line 1124 feet to the right of way of the said Louisville and Nashville Railroad; thence South along said railroad right of way 780 feet to the South boundary of said Section 8, thence West with the section line 1124 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said

City certain territory not already included therein and located in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF LIMESTONE.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone, and State of Alabama, be and the same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

A part of the East half of the Southwest Quarter of Section 9, Township 3 south, Range 4 West, that lies outside of the present corporate limits and is contiguous thereto, and the West Half of the southeast quarter of said Section 9, Township 3 south, Range 4 West, the whole area being more particularly described as follows: Begin at the northeast corner of the said West half of the southeast quarter of said Section 9 and in the Nick Davis Road and run thence South along the East boundary of the said West Half of the Southeast quarter of said Section 9, a distance of 2695 feet to the south boundary of said section 9; thence west along the south boundary of Section 9 a distance of 1876.5 feet; thence leaving the Section line and running North 2695 feet along a line which coincides with the east boundary and the east boundary of the present City limits produced in a southerly direction to a point on the quarter section line in the center of Forrest Street and 555 feet West of the center of said Section 9; thence East along the said Quarter Section line and in the center of said Street 1876.5 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE McGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone and State of Alabama, be and same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

All that part of the Southeast Quarter of Section 6, Township 3 South, Range 4 West which lies North of the right of way of the Buck Island Road, South of the right of way of the Fifth Avenue as produced westward, and West and North of the present City limits line the tract of land being further described as beginning at the Northwest corner of the Southeast Quarter of the Southeast quarter of said Section 6 and running thence East along the Quarter-Quarter Section line which is also along the present corporate limits line 932 feet; thence leaving the Quarter-Quarter Section line and running North along the present corporate limits line 1300 feet to a point on the South margin of said Fifth Avenue as produced West; thence leaving the present corporate limits line and running West along the South right of way line of said Fifth Avenue 2156 feet to the West boundary of said Southeast Quarter of Section 6; thence South along the Quarter Section line 190 feet to

the North right of way line of the Buck Island Road; thence southeast along the North right of way line of said road 2036 feet to a point on the West boundary of the Southeast Quarter of the Southeast Quarter of said Section 6; thence North along the Quarter-Quarter Section line which is also the present City limits line 282 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

RECEIVED

July 14

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 882, 881, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 919, 920, 927, 928 and 929. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Haltom and Broadfoot:

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. One duly appointed deputy register of the Circuit Court of Lauderdale County shall receive a salary which shall be fixed by the governing body of Lauderdale County in an amount not to exceed eighteen hundred dollars (\$1,800.00) per annum, payable in twelve equal monthly installments out of the Treasury of the county upon the warrant of the County governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Milton C. Grisham
State Senator
Robert H. Broadfoot
Representative
E. B. HALTOM, JR.
Representative

6-7; 7-7, 14, 21.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. May, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

H. S. MAY.

Sworn to and subscribed before me August 4, 1955.

MARY B. LEWIS,
Notary Public.

Also:

By Messrs. Roberts and Reynolds:

H. 875. To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Madison County is hereby authorized to establish, operate, and maintain a public law library within the county. To accomplish this purpose, the governing body may expend such public funds of the county as are not otherwise appropriated or pledged to provide suitable quarters, furniture, fixtures, and equipment as may be necessary to operate the law library; to keep the library in a good state of maintenance and repair; to enlarge, expand, and improve the library, and its facilities and equipment; to provide such books, reports, and periodicals for the library as are not provided for out of the proceeds of the special library fund created by this Act, or otherwise; and to pay the salary of a county law librarian, to the extent that the salary is not paid out of the proceeds of the special library fund. The expenditures authorized by this section may, from time to time, be made at the discretion of the county governing body on warrants drawn in the usual manner, upon the county treasurer, payable out of appropriate funds.

Section 2. The Madison law library shall operate under the supervision and control of the Madison County Senior Circuit Court Judge. The said Judge shall exercise general powers of supervision over the affairs of the library; and shall appoint a county law librarian and shall fix the librarian's salary.

Section 3. (a) To provide a special fund for the maintenance and operation of the library, there shall be taxed as costs the sum of three dollars (\$3.00) in each civil or quasi-civil action at law, suit in equity, criminal case, quasi-criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment or conviction in any inferior or municipal court to the circuit court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the circuit court of Madison County. The costs provided for by this subsection shall be collected as other costs in such cases are collected by the circuit clerk or the register in chancery, as the case may be, and shall be retained, by the circuit clerk, or, if collected by the register, paid over to the circuit clerk.

(b) There shall also be taxed as costs the sum of fifty cents (\$.50) in each criminal case and civil case in the inferior court of Huntsville, Madison County, Alabama, which costs shall be collected as other costs in such cases are collected, and when collected by the clerk of the inferior court shall be paid by him to the circuit clerk of Madison County.

(c) There shall also be taxed as costs the sum of three dollars (\$3.00) in each proceeding for the administration of the estate of any deceased or incompetent person, for the condemnation of land or any interest therein, or for the adoption of any child in the probate court of Madison County, which costs shall be collected as other costs in such cases are collected, and when collected by the clerk of the probate court shall be paid by him to the circuit clerk of Madison County.

Section 4. The sums required by this Act to be retained or paid to the circuit clerk of Madison County shall be kept by him in a separate fund designated as the "Madison County Law Library Fund," and, subject to the approval and direction of the Senior Circuit Judge, shall be expended by him for the maintenance and operation of the library. The circuit clerk shall receive as compensation for such services a commission of five percent (5%) on all funds received by him under authority of this Act. The law library fund shall be used primarily to pay the compensation of the county law librarian and the circuit clerk, and to purchase such books and periodicals as may in the opinion of the law library board be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of the library. All books or other property purchased with the funds produced by this Act shall be the property of Madison County; provided, however, that the Senior Circuit Judge may from time to time sell or exchange any such books, reports, periodicals, and personal property, and apply the proceeds of the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals, and personal property for use in the library. Also, the said Judge may accept any gift or loan of books, reports, periodicals, and property for public use in the library, upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said judge.

Section 5. The items of cost referred to in this Act shall be designated in the respective courts as "law library fee." On or before the tenth day of each month, the persons so required by this Act shall pay to the circuit clerk the amounts collected for law library fees before the first day of the month. The Madison County law library fund shall be subject to audit by the Department of Examiners of Public Accounts, which audit shall be performed at the same time and in the same manner as the audit of other funds of the circuit clerk.

Section 6. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 29, July 6, 13 & 20, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1955.

J. M. LANGHORNE,
General Manager.

Sworn to and subscribed before me July 21, 1955.

CHARLEY W. HOLDER,
Notary Public.

Also:

By Mr. Huddleston:

H. 904. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF APPLICATION FOR LOCAL LAW

Notice is hereby given that a local law applicable to Colbert County, Alabama, substantially as follows, will be applied for in the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor adoption of the provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the office of County Commissioner of Public Schools created by Act No. 227 of the Legislature of Alabama of 1953, approved July 24, 1953, is hereby abolished and the office of County Superintendent of Education is hereby established and restored in Colbert County.

Section 2. That the County Superintendent of Education of Colbert County shall have the same powers and authority and perform the same duties and functions as are now conferred upon and required of a County Superintendent of Education by the laws of Alabama.

Section 3. That J. Troy Bozeman is hereby designated and appointed as County Superintendent of Education of Colbert County for a term to begin on the effective date of this act and to run until July 1, 1957, and until his successor is elected and qualified.

Section 4. That a County Superintendent of Education of Colbert County shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1956, and at the general election every fourth year thereafter, by the qualified voters of Colbert County, and shall hold office for a term of four years, beginning on the first day of July following his election and until his successor is elected and qualified.

Section 5. That the County Superintendent of Education of Colbert County shall possess the same qualifications and shall receive the same salary, compensation and allowances as are now required of and provided for county superintendents of education by the law of Alabama; and his official bond shall be fixed and approved in the manner provided by Section 76 of Title 41 of the Code of Alabama of 1940, as amended.

Section 6. That Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, Alabama, approved July 24, 1953, and entitled "An Act Relating to Colbert County, abolishing the office of County Superintendent of Education, and creating the office of County Commissioner of Public Schools in lieu thereof; providing for the election, term of office, duties and powers, and compensation of the County Commissioner of Public Schools, and conferring upon the Commissioner the power, duties and functions of the County School Building Commission," and all other laws and parts of laws in conflict herewith, be, and the same are hereby, repealed.

Section 7. Section 7 of this Act shall become effective upon the approval of this Act by the Governor, or its otherwise becoming a law, but the other provisions of this Act shall not become effective unless a majority of the qualified electors of Colbert County voting in the election hereinafter provided to be held in Colbert County shall vote to adopt the provisions of this Act.

A special election is hereby called and shall be held in Colbert County on the first Tuesday following the expiration of thirty days after the approval of this Act by the Governor, or its otherwise becoming a law. Notice of such election shall be given by the Sheriff of Colbert County not less than fifteen days before the date of said election. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the voters canvassed, the results declared, certificates given, and it shall be regulated in all respects, in accordance with the provisions of the law of Alabama relating to general elections.

On the ballot to be used at said election the question shall be: "Do you favor the adoption of the provisions of Act No. of the Legislature of Alabama (H. by Huddleston) approved 1955?" (The appropriate numbers and date to be inserted).

If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, this Act shall become effective immediately upon the filing of the declaration of the result of the election in the office of the probate judge, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no effect.

STATE OF ALABAMA
COLBERT COUNTY.

Before me, a notary public in and for said state and county, this day, personally appeared, W. F. Miller, who being by me first duly sworn, deposes and says that he is the publisher of Colbert County Reporter, a newspaper of general circulation printed and published in Tuscumbia, Colbert County, Alabama; that the attached notice was published in Colbert County Reporter once a week for four consecutive weeks in the issues of January 27, February 3, 10 and 17, 1955.

W. F. MILLER.

Sworn to and subscribed before me this 4th day of August, 1955.

FRANCES DiRAGO,
Notary Public.

My commission expires May 12, 1957.

Also:

By Mr. Goodwyn:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries:

Beginning at the southeast corner of the northwest quarter of Sec. 3, T16N, R1SE, Montgomery County Ala, thence north along the east line of said northwest quarter of Sec. 3 to the north line of the south half of the northwest quarter of Sec. 3, thence west along the north line of the south half of the northwest quarter of Sec. 3, to the west line of Sec. 3, thence north along the west line of Sec. 3 to the northeast corner of Sec. 4, T16N, R1SE, thence west along the north line of said Sec. 4, to the northwest corner of the northeast quarter of Sec. 4, thence south along the west line of said northeast quarter of Sec. 4, to the southwest corner of said northeast quarter of Sec. 4, thence east along the south line of the northeast quarter of Sec. 4 and the south line of the northwest quarter of Sec. 3 T16N, R1SE, to the point of beginning.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 1, 1955.
Montgomery Examiner

July 12, 19, 26 and Aug. 2, 1955

**THE STATE OF ALABAMA
COUNTY OF MONTGOMERY**

Before me, Lucille Raffels, A Notary Public, in and for said County and State personally appeared and states Charles G. Dobbins, publisher for "The Montgomery Examiner", publishers of The Montgomery Examiner, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached is a true copy of a "Legal Notice" of the City of Montgomery, Alabama, which appeared in the regular editions of the said newspaper published in said City and County of Montgomery, on the following dates: July 12, 19, 26 and August 2, 1955.

CHARLES DOBBINS.

Sworn to and subscribed before me this 2nd day of August, 1955.

**LUCILLE RAFFELS,
Notary Public.**

Also:

By Messrs. Hawkins and Hanby:

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

**STATE OF ALABAMA,
COUNTY OF ETOWAH**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meeting of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created, and shall be established on the first Wednesday after the ninetieth day after final adjournment of the 1955 Regular Session of the Legislature, the Etowah County Board of Revenue, which shall be in lieu of the existing Board of Revenue for said county and shall be composed of a President and four Associate Members.

Section 2. The President of the Board shall be a qualified elector in Etowah County, Alabama, and shall be elected by the qualified electors of the entire county. The President of said Board shall be elected at the general election to be held in the year 1958, and every four years thereafter, and shall hold office from the first Monday after the second Tuesday in January following his election, and until his successor is elected and qualified. The President of the existing Board of Revenue shall serve as President of the Board herein established until a President is elected and assumes office as herein provided.

Section 3. Associate Members of the Board shall be elected by the qualified electors of the entire county, as hereinafter provided. Associate Member Number Two and Associate Member Number Three of the Board shall be elected at the general election to be held in the year 1960, and every four years thereafter, to hold office for a term of four years from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified; provided, that the first of such members shall be elected as follows, and shall take office on the day after their election: An election shall be held in the county on the first Tuesday after the ninetieth day after final adjournment of the 1955 Regular Session of the Legislature for the purpose of electing a member of the Board from District No. 2 and a member from District No. 3 to serve until their successors are elected and take office as herein provided. Said election shall be held and conducted as in the case of a special election to fill a vacancy in the Legislature, except that the election shall be non-partisan and no emblem, name, or other designation of a candidate's political party affiliation shall be printed or written on the ballots or ballot labels used at the election, and the candidate receiving a plurality of the votes cast shall be elected. Candidates must qualify by filing a written declaration of candidacy with the judge of probate at least forty-five days before the election. No person shall be eligible for election unless he is a qualified elector of the county and a resident of the district he seeks to represent.

Associate Member Number One and Associate Member Number Four shall be elected at the general election in 1958, and every four years thereafter, to hold office from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified. The member of the Existing Board of Revenue holding Place No. 1 shall serve as a member of the new Board from District No. 1 and the member of the existing Board holding Place No. 2 shall serve as a member of the new Board for District No. 4; and their successors shall be elected in 1958 and assume office on the first Monday after the second Tuesday in January, 1959.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 1, which said district is described as follows:

All of that portion of Etowah County, Alabama, lying East and Southeast of the Coosa River.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 2 which said district is described as follows:

Beginning on the Southeast side of the Attalla-Chattanooga Highway where said Attalla-Chattanooga Highway crosses the boundary line between DeKalb County and Etowah County; thence in a Southwesterly direction along the southeast side of said Attalla-Chattanooga Highway to a point where said highway intersects the north boundary line of the City limits of Attalla, Alabama; thence following the boundary line of all that portion of the city limits of the City of Attalla, lying northwest of the Attalla-Chattanooga Highway and the Attalla-Birmingham Highway to a point where the southerly most point of said boundary line of the City of Attalla touches the northwest side of the Attalla-Birmingham Highway; thence along the northwest side of said Highway in a Southwestern direction to the boundary line between Etowah County and St. Clair County; thence in a southerly and easterly direction along the boundary line of Etowah County and St. Clair County to the west side of Coosa River at a point where said river crosses from Etowah County into St. Clair County; thence following the meanderings of the Coosa River in a northerly direction along the west side of said Coosa River to a point where said Coosa River crosses the boundary line between Etowah County and Cherokee County; thence in a northerly direction along the boundary lines between Etowah County and Cherokee County to a point where the boundary lines of Etowah County, Cherokee County and DeKalb County meet; and thence in a westerly direction along the boundary line between Etowah County and DeKalb County to the point of beginning; it being the express intention of this description to include, in addition to the property herein described, all the property lying within the city limits of the City of Attalla, Alabama, and all the property lying West of the Coosa River within the city limits of Gadsden, Alabama.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 3, which said district is described as follows:

Beginning on the northwest side of the Attalla-Chattanooga Highway where said Attalla-Chattanooga Highway crosses the boundary line between DeKalb County and Etowah County; thence in a southwesterly direction along the northwest side of said Attalla-Chattanooga Highway to a point where said highway touches the boundary line of the City Limits of the City of Attalla, Alabama; thence following the boundary lines of the city limits of Attalla in a westerly direction to where said boundary line of said City of Attalla intersects the Attalla-Boaz Highway; thence in a northwesterly direction along said Attalla-Boaz Highway to a point where said highway intersects the boundary line between Marshall County and Etowah County; thence in an easterly direction along said boundary line between Marshall County and Etowah County to a point where the boundary line of Marshall County, Etowah County and DeKalb County meet; and thence along the boundary line between DeKalb County and Etowah County in an easterly direction to the point of beginning.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 4, which said district is described as follows:

Beginning at a point where the Attalla-Boaz Highway intersects the boundary line between Etowah County and Marshall County, thence following said Attalla-Boaz Highway in a southerly direction to a point where said Attalla-Boaz Highway intersects the boundary line of the

City of Attalla; thence in a Southerly and Southwesterly direction following the boundary line of all that portion of the city limits of Attalla, lying southwest of said Attalla-Boaz Highway and northwest of the Attalla-Birmingham Highway to where said boundary line touches said Attalla-Birmingham Highway; thence in a southwesterly direction along said Attalla-Birmingham Highway to a point where said Attalla-Birmingham Highway intersects the boundary line between Etowah County and St. Clair County; thence in a westerly and northwesterly direction along the boundary line between Etowah County and St. Clair County to a point where the boundary line of Etowah County, St. Clair County and Blount County meet; thence in a northeasterly and northerly direction along the boundary line between Etowah County and Blount County to a point where the boundary lines of Etowah County, Blount County and Marshall County meet; and thence in a northeasterly direction along the boundary line between Etowah County and Marshall County to the point of beginning.

Section 4. The Board of Revenue shall have all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other county governing bodies of this state except as otherwise in this act provided and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners, boards of revenue or other county governing bodies of this State.

Section 5. The President of the Board shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the board, and shall sign all warrants drawn on the county treasurer, unless in the event of his disability some other member of the board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the session of said Board, and to see to the execution of all orders thereof, and to report to the Board all infractions of the revenue law in said county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the probate judge or presiding officer as to matters coming before the court of county commissioners. He shall devote his full time to the duties of his office.

Section 6. Each Associate Member shall devote his full time to the duties of his office and shall be responsible for and supervise the construction, maintenance and condition of county roads and bridges in his district and see that the same are kept in repair and improved.

Section 7. A majority of the Board shall have the right to designate Farm-to-Market and State-Aid Roads and employ the personnel of the county. No member of the Board shall be eligible to vote on the employment or compensation of any person related to him by blood or marriage.

Section 8. By appropriate resolution or action of the Board provisions shall be made for providing for each member of the Board transportation required by him, in and only in, the official discharge of the duties of his office, and necessary for the proper discharge of such duties.

Section 9. The Board shall on all purchases for the county in excess of \$300.00 and for not more than \$1,000.00 receive publicly, competitive bids therefor after due notice, by posting at the courthouse door for at least five days prior thereto of the proposed purchase and a brief specification thereof. For all purchases in excess of \$1,000.00, like advertise-

ments shall be given at least one time in a newspaper of general circulation in the county. The provisions of this section contained shall not apply if purchases are made through any legally constituted state purchasing agency by whatever name or designation the same may be known.

Section 10. The Board shall hold at least one public meeting weekly, at a regularly designated time which shall not be changed by the Board on less than two weeks' notice; and the Board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member and at each said meeting the minutes of the previous meeting shall be read and all such minutes shall be open to public inspection at reasonable times.

Section 11. The salary of the President of the Board shall be \$6,500.00, per annum, and the salaries of each Associate Member shall be \$6,000.00 per annum, all payable in equal monthly installments on the last day of each month out of the funds of the county. Neither the President nor the Associate Members of the board shall be entitled to any ex officio fees or charges or additional compensation. The compensation provided in this section shall constitute the full and complete compensation which the President and Associate Members of the Board shall be entitled to receive for their services.

Section 12. All local acts pertaining to the organization, duties and jurisdiction of the Board of Revenue of Etowah County are hereby repealed, but the Act to establish a county depository in lieu of a county treasurer for Etowah County passed and approved June 3, 1935; 1953 Local Acts, page 34, is not repealed and is continued in effect and full force.

Section 13. Section 3 of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, and the remainder shall become effective on the day after the general election held in November, 1956.

GEORGE C. HAWKINS,
E. K. HANBY, JR.
E. L. ROBERTS.

June 22, 29. July 6, 13.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Thomas R. Williams, Jr., who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That he is Credit Manager of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising:

That, as such employee, he has knowledge of the facts hereinafter stated, and that he is authorized by said, the Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice, which notice was printed in The Gadsden Times in its regularly circulated editions on June 22nd, June 29th, and July 6, 13, 1955, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 1st day of August, 1955.

THOMAS R. WILLIAMS, JR.

Subscribed and sworn to before me on this the 1st day of August, 1955.

WALTER BETZ,

Notary Public, Etowah County, Alabama.

Also:

By Messrs. Meeks, Perry, Vacca, Edwards (Jefferson), Nice and Lackey:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 887, 875, 904, 874, 876 and 883. To the Committee on Local Legislation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 291. To create and establish in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court with concurrent jurisdiction with the probate court of matters relative to the adoption of orphans and original and exclusive jurisdiction of all other cases involving or growing out of family or domestic relations; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; making certain of its records relative to minors privileged and prescribing penalties for publication thereof; authorizing the establishment of a committee to aid and advise the court relative to juvenile problems arising in the court and abolishing all other courts in the county, except the probate court, having jurisdiction of juveniles and any advisory boards or commissions created to aid such abolished courts.

was taken up.

Mr. Van Antwerp offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 291

A BILL TO BE ENTITLED AN ACT

To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of

the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. A domestic relations division of the circuit court is hereby established in every county in the State having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census. The domestic relations division of the circuit court shall, as its primary function, handle all cases in such county involving divorce, the annulment of marriages, the custody of children. The presiding judge of the circuit court of such county shall assign all such cases which originate in the circuit court to the domestic relations division thereof, provided, that the presiding judge may, in his discretion, for the purpose of relieving an over-loaded docket in the domestic relations division, assign a portion of such cases to other judges of the circuit court.

Section 2. Whenever this act becomes operative in any county in this State an additional judgeship is hereby created for the circuit court affected. The incumbent of such additional judgeship shall be the judge of the domestic relations division of the circuit court of such county. If this act becomes effective in any county in this State more than six months before the next general election for any State officers the Governor shall appoint an additional judge for the circuit court of such county who shall hold office until the next general election for any state officers held at least six months after this act becomes effective in such county. At the first general election for state officers held at least six months after this act applies to a county, a judge shall be elected to fill the additional judgeship hereby authorized, who shall hold office until the next general election of circuit judges. At the first general election of circuit judges held after this act is operative in a county, and every six years thereafter, a judge shall be elected to fill such judgeship at the same election that other circuit judges are elected and such judge shall hold office for the same term as other circuit judges. Whenever the office of the additional judgeship hereby created is first filled, either by appointment or by election, the office of judge of the juvenile court of the county affected by this act is thereupon abolished, and thereafter the judge of the domestic relations division of the circuit court shall be ex officio the judge of the juvenile court of the county.

Section 3. Until the expiration of the present terms of the circuit judges of the county or counties affected by this act, the judge of the domestic relations division of the circuit court shall receive the sum of \$11,000.00 per annum payable in equal installments, and thereafter he shall receive the same salary as the other circuit judges, as prescribed by law.

Section 4. (a) The register of the circuit court shall appoint a deputy register of the circuit court who shall serve under the direction, and shall hold office at the pleasure, of the register of the circuit court. The deputy register shall receive a salary of five thousand four hundred dollars (\$5,400) per year. If any county coming within the influence of this act has a civil service system the deputy register hereby provided for shall be in the exempt service and no rules or regulations of the civil service system shall govern his appointment, discharge or compensation. Said deputy register before entering upon the duties of his office shall give bond to the State of Alabama in a sum to be set by the governing authority of the county, with surety, acceptable to such governing authority, to execute faithfully all the duties of his office during his continuance therein.

(b) The judge shall appoint a bailiff of the domestic relations division of the circuit court, who shall perform the same duties and receive the same salary as do the other bailiffs in the circuit court.

Section 5. There shall be a court reporter for the domestic relations division of the circuit court appointed by the judge on the same basis as other court reporters of the circuit court are appointed. The reporter shall also serve as secretary to the judge.

Section 6. The judge of the domestic relations division of the circuit court shall appoint a practicing psychiatrist who shall serve at the pleasure of the judge as consultant of the court to whom children involved in cases before the court can be referred for psychiatric diagnosis and treatment. The psychiatrist shall also serve as consultant to the juvenile court when called upon by the judge thereof for that purpose. The compensation of the psychiatrist shall be one thousand two hundred dollars (\$1,200) per year.

Section 7. The county governing body of any county to which this act applies shall appropriate such sum of money each year as will meet all the administrative expenses of the domestic relations division of the circuit court.

Section 8. Appeals from the judgments or orders of the juvenile court shall be assigned by the presiding judge of the circuit court to judges of said court other than the judge of the domestic relations division.

Section 9. On the filing of a bill or petition for divorce or for support the domestic relations division of the circuit court may request the juvenile court to cause an investigation and report to be made as to the character, family relations, past conduct, earning ability and financial worth of the parties to the action. The report of such investigation shall be made available to either party or his counsel of record.

Section 10. All salaries payable under this Act which are not payable by the State under general laws shall be paid by the county.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Newton
Boutwell	Davis (Pickens)	James	Reeves
Calvin	Eddins	Jones	Skidmore
Cantrell	Engelhardt	Metcalf	Van Antwerp
Coleman	Flowers	Moses	Vann
Cooper	Givhan		

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And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Smith
Allen	Eddins	Metcalf	Tate
Boutwell	Engelhardt	Moses	Van Antwerp
Bradford	Goodwin	Reeves	Vann
Cooper	Jones	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Lamberth		

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, section 105(1).

Also:

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTIONS

Mr. Van Antwerp offered the following Senate Resolution, to-wit:

S. R. 66. Whereas S. R. 51 as adopted by the Senate on July 22, 1955, requests the Justices of the Supreme Court of Alabama to give this body their written opinions concerning certain important constitutional questions which arose in connection with S. B. 291; and

Whereas said S. B. 291 has been so amended that Questions 2 - 9 as propounded to the Justices are moot questions; now therefore, be it

Resolved by the Senate, That the Justices of the Supreme Court are hereby respectfully requested to give this body their opinions in answer to Question 1 and to disregard the remaining questions as set out in said S. R. 51.

Resolved further, the Secretary is directed to transmit a copy of this resolution to the Clerk of the Supreme Court of Alabama forthwith upon its adoption.

And on motion of Mr. Van Antwerp, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Dement:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said

City certain territory not already included therein and located in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF LIMESTONE.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone and State of Alabama, be and the same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

All that part of the North half of the North half of Section 9, also all that part of the South Half of the South Half of Section 4, all in Township 3 South, Range 4 West, which lies East of and adjacent to the East boundary of the corporate limit line of the City of Athens, Alabama and West of the right of way of a newly constructed Federal Highway designated as U. S. 31; the entire tract of land being further described as beginning at a point on the present City limits line 555 feet West of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 4 and run thence East along the Quarter-Quarter Section line 2606 feet to a point on the West boundary of said Highway 31 and at station 93-78 on said highway; thence leaving the Quarter-Quarter Section line and running South 16 degrees and 5 minutes West along the West boundary of said Highway 2889.7 feet to a point 63 feet West of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 9; thence West along the Quarter-Quarter Section line which is also the present corporate limit line a distance of 1813.5 feet to a point 1347 feet North of the Quarter Section line which runs East and West through the center of said Section 9, thence running North along the present corporate limit line 2694 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE McGREW.

Sworn to and subscribed before me Aug. 8, 1955.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Ferrell:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
DEKALB COUNTY.

Notice is hereby given that at the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There shall be elected by the qualified electors of the entire county five (5) members of the DeKalb County Board of Education of DeKalb County, Alabama. One member shall be elected from each of the four Commissioners or Board of Revenue Districts of DeKalb County, and shall be a qualified elector and bona fide resident of the district from which he is elected. There shall be one member of the Board elected from the County at large, who may reside in any part of the County.

SECTION 2. The members of the DeKalb County Board of Education shall be elected for a term of six (6) years, and shall be for staggered terms as follows: One member from the first Commissioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Bill Russell, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one mem-

ber from the second Commissioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Joe F. Campbell; who resides in said District, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member from the third Commissioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Herman Watson, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member from the fourth Commissioners or Board of Revenue District, at the expiration of the term of the present member of the Board, Honorable J. T. Shirey, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member of the Board at large at the expiration of the term of the present member of the Board, Honorable Hoyt Rains, at the general election of state and county officers to succeed the member of the Board who is to be elected from the County at large, whose term shall expire at that time.

SECTION 3. The present members of the DeKalb County Board of Education shall hold office until the expiration of their respective terms and until their successors are elected and qualified.

SECTION 4. The members of the DeKalb County Board of Education shall exercise all the powers and duties pertaining to the school system of DeKalb County as now or hereafter may be authorized by law, and receive the same per diem as now or hereafter may be authorized by law.

SECTION 5. The sections of this Act and the parts of each section are hereby declared to be independent sections and parts of sections, and the holding of any part or section thereof to be void, ineffective or unconstitutional by the Courts of the State of Alabama, or the United States Court, shall not effect the other sections or parts thereof; it being now declared that the other parts or other sections would have been enacted regardless of any section or part of sections which might be held unconstitutional, inoperative or ineffective.

SECTION 6. All laws and parts of laws, both local and general in conflict with the provisions of this act are hereby repealed in so far as relates to DeKalb County.

SECTION 7. This Act shall go into effect upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA DEKALB COUNTY

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal," which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON.

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,
Notary Public.

Also:

By Messrs. Callahan and deGraffenried:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Also:

By Messrs. Brewer and Gilchrist:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violations of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by the Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby levied a county privilege or license tax upon every person, firm or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, diesel fuel, or other liquid motor fuels, or any device or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes, in an amount equal to two cents (\$.02) per gallon sold, delivered, withdrawn from storage, or kept in storage for sale or delivery. Provided, however, that the tax provided for by this Act shall not be levied or paid on the sales of such motor fuels in interstate commerce, or to the federal government or any agency of the federal government, or to the State of Alabama, or to any incorporated municipality for municipal purposes, or to such motor fuels which are withdrawn from storage within Mobile County for delivery only to a point or points outside Mobile County, when the distributor or seller of such motor fuels prepares and files with the tax collector of Mobile County written statements sworn and subscribed to showing the name and address of the person and to whom such motor fuels are or have been delivered by the distributor or seller, the volume and kind of such motor fuels and the dates of such withdrawals, and the point or points outside the county to which the motor fuels are delivered, or are to be delivered. Where the excise tax levied herein upon the sale, use, distribution, storage, or withdrawal from storage in Mobile County of such motor fuels shall have been paid to the tax collector of Mobile County by any person, firm, or corporation, such payment shall be sufficient, the intent being that the tax shall be paid but once.

Section 2. Every person, firm or corporation upon whom the taxes levied by this Act are imposed shall, on or before the fifteenth day of each month, file with the tax collector of Mobile County, on forms to be prescribed by the County governing body, a written statement, sworn and subscribed to, which shall show: 1) the name and address of the taxpayer; 2) the amount of all sales and withdrawals of motor fuels liable for payment of the tax levied herein made during the next preceding month; 3) the amount of the sales or withdrawals of such motor fuels which are not subject to the tax, or are not to be used as a measurement of the taxes due by such taxpayer, and the nature thereof; and 4) such other information as the county governing body may demand. At the time of making such monthly statement or report, each taxpayer shall compute the amount of taxes due, and shall pay to the tax collector of Mobile County the amount of the taxes shown to be due; provided, however, that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be allowed as a credit toward and shall be deducted from the amount of the tax due the county under the provisions of this Act, when the distributor or seller of such motor fuels prepares and files with the tax collector of Mobile County written statements sworn and subscribed to showing the volume and kind of such motor fuels on which a municipal excise tax has been paid, the amount of such tax paid each municipality, and the name of the municipality to which paid.

Section 3. It shall be the duty of every person, firm, or corporation upon whom a privilege or license tax is imposed by this Act to keep and preserve suitable books, accounts, papers, documents, and such other records as will clearly show the amount of sales or withdrawals of motor fuels made in Mobile County and subject to the tax levied herein. Such records shall be open, during reasonable hours at the place of business of such person, firm, or corporation, for inspection and examination by the tax collector, or his agent, or by such other person as may be desig-

nated under any rules or regulation adopted and promulgated by the governing body of Mobile County.

Section 4. The governing body of Mobile County shall promulgate and adopt rules and regulations necessary for the enforcement and collection of the tax levied herein.

Section 5. The proceeds of the tax levied herein shall be paid by the tax collector as follows: 1) One-half of such proceeds shall be paid into the road and bridge fund of Mobile County; and 2) one-half of such proceeds shall be pro rated among the incorporated cities and towns within Mobile County on the basis of the population of such cities or towns.

Section 6. Any person, firm, or corporation who violates any provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law. Each day a violation continues shall constitute a separate offense.

Section 7. Any person, firm, or corporation who fails to pay the tax herein levied within the time required by this Act shall pay, in addition to the tax, a penalty of 10 per cent of the amount of tax due, together with interest thereon at the rate of one-half of one per cent per month, or fraction thereof, from the date at which the tax herein levied became due and payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 8. If any provision of this Act, or the application thereof to any person, firm, or circumstance, is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Act and the application thereof to any person, firm, or circumstance shall not be affected by such declaration.

Section 9. This Act shall become effective on the first day of the first month next following the date of its passage and approval.

Approved:

M. THOMAS MURPHY
GARRETT VAN ANTWERP
OTTO SIMON
JOHN M. TYSON

Reg., July 18

W. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 18, 25, August 1, 8, 1955.

W. M. CURRAN.

Sworn to and subscribed before me This 8th day of August, 1955.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Meeks, Edwards (Jefferson), Nice, Vacca, Kaul, Lackey and Perry:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To pro-

vide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Meeks, Lackey, Kaul, Perry, Vacca, Edwards (Jefferson), and Nice:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Also:

By Messrs. Perry, Lackey, Nice, Vacca, Kaul, Meeks and Edwards (Jefferson):

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Meeks, Nice, Kaul, Perry, Vacca, Lackey and Edwards (Jefferson):

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Also:

By Messrs. Perry, Lackey, Nice, Vacca, Kaul and Edwards (Jefferson):

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Meeks, Lackey, Nice, Perry, Edwards (Jefferson) and Kaul:

H. 944. TO provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any

city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Also:

By Messrs. Meeks, Lackey, Kaul, Nice, Perry, Edwards (Jefferson), and Vacca:

H. 943. To fix the compensation or salaries of tax assessors and tax collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Messrs. Lackey, Meeks, Nice, Kaul, Edwards (Jefferson) and Perry:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Also:

By Messrs. Nice, Lackey, Vacca, Perry, Kaul, Meeks and Edwards (Jefferson):

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Also:

By Messrs. Lackey, Nice, Vacca, Perry, Kaul, Meeks and Edwards (Jefferson):

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Lackey, Perry, Vacca, Kaul, Meeks and Edwards (Jefferson):

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred Thousand (400,000) or more according to the last or any succeeding decennial federal census.

Also:

By Messrs. Lackey, Nice, Vacca, Perry, Kaul and Edwards (Jefferson):

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Meeks, Nice, Perry, Vacca, Kaul, Edwards (Jefferson) and Lackey:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Also:

By Messrs. Meeks, Nice, Kaul, Perry, Vacca, Lackey and Edwards (Jefferson):

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Also:

By Messrs. Callahan, Speaks and Nice:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Also:

By Messrs. Callahan, Nice and Speaks:

H. 889. To amend Act No. 63, H. 49, approved June 3, 1953 (Acts of the 1953 Regular Session, Vo. I, p. 94), which provides old age assistance to certain teachers.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 930, 932, 934, 935, 952, 949, 948, 947, 946, 945, 944, 943, 942, 941, 940, 939, 938, 937 and 936. To the Committee on Local Legislation.

H. B.'s 890 and 889. To the Committee on Education.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Goodwin, further consideration of the Bill, S. B. 324, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 341

Amend Section 3 of Senate Bill 341 by adding immediately after the word "Salary" where said word appears in said section the following words, "and/or other compensation".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Goodwin	Moses
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Leonard	Smith
Coleman	Engelhardt	Little	Tate
Cooper	Flowers	Metcalf	Van Antwerp
Davis (Lowndes)	Givhan		

—21

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Metcalf	Skidmore
Allen	Dyar	Moses	Van Antwerp
Boutwell	Eddins	Newton	Vann
Calvin	Grisham	Reeves	Yarbrough (Autauga)
Cantrell	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Newton	Tate
Cantrell	Goodwin	Reeves	Van Antwerp
Cooper	James	Roberts	Vann
Davis (Lowndes)	Jones	Robison	Yarbrough (Autauga)
Davis (Pickens)	Metcalf	Smith	Yarbrough (Randolph)
Eddins	Moses		

—21

The Bill:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Metcalf
Allen	Davis (Lowndes)	Jones	Newton
Bradford	Davis (Pickens)	Lamberth	Skidmore
Calvin	Dyar	Leonard	Smith
Cantrell	Eddins	Little	Tate
Coleman	Engelhardt		

—21

The Bill:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Robison
Boutwell	Davis (Pickens)	Little	Van Antwerp
Bradford	Engelhardt	Metcalf	Vann
Cantrell	Flowers	Moses	Yarbrough (Autauga)
Coleman	Givhan	Reeves	Yarbrough (Randolph)
Cooper	Goodwin		

—21

The Bill:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his

or her eligibility for a pension or retiring allowance under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Metcalf	Tate
Boutwell	Davis (Pickens)	Moses	Van Antwerp
Bradford	Eddins	Newton	Vann
Calvin	Engelhardt	Reeves	Yarbrough (Autauga)
Cantrell	James	Robison	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

S. 346. Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Little	Tate
Allen	Goodwin	Metcalf	Van Antwerp
Calvin	Grisham	Newton	Vann
Cantrell	James	Roberts	Yarbrough (Autauga)
Coleman	Jones	Robison	Yarbrough (Randolph)
Flowers	Leonard		

—21

The Bill:

S. 347. Relating to Walker County: To disqualify judges in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Lamberth	Robison
Allen	Cooper	Leonard	Skidmore
Boutwell	Davis (Lowndes)	Metcalf	Smith
Bradford	Dyar	Newton	Yarbrough (Autauga)
Calvin	Eddins	Roberts	Yarbrough (Randolph)
Cantrell	Grisham		

—21

The Bill:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Newton	Tate
Allen	James	Reeves	Van Antwerp
Cantrell	Jones	Roberts	Vann
Coleman	Little	Robison	Yarbrough (Autauga)
Dyar	Metcalf	Smith	Yarbrough (Randolph)
Goodwin	Moses		

—21

The Bill:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Newton	Tate
Allen	James	Reeves	Van Antwerp
Cantrell	Jones	Roberts	Vann
Coleman	Little	Robison	Yarbrough (Autauga)
Dyar	Metcalf	Smith	Yarbrough (Randolph)
Goodwin	Moses		

—21

The Bill:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer, or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after

deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Tate
Allen	James	Reeves	Van Antwerp
Bradford	Jones	Roberts	Vann
Davis (Lowndes)	Little	Robison	Yarbrough (Autauga)
Davis (Pickens)	Metcalf	Smith	Yarbrough (Randolph)
Givhan	Moses		

—21

The Bill:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Lamberth	Newton
Allen	Cooper	Leonard	Skidmore
Boutwell	Davis (Lowndes)	Little	Vann
Bradford	Dyar	Metcalf	Yarbrough (Autauga)
Calvin	Eddins	Moses	Yarbrough (Randolph)
Cantrell	Goodwin		

—21

The Bill:

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Reeves	Tate
Boutwell	Eddins	Roberts	Van Antwerp
Calvin	Givhan	Robison	Vann
Coleman	Goodwin	Skidmore	Yarbrough (Autauga)
Cooper	Grisham	Smith	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Allen	Davis (Pickens)	Jones	Skidmore
Boutwell	Dyar	Little	Vann
Calvin	Givhan	Metcalf	Yarbrough (Autauga)
Coleman	Goodwin	Moses	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Moses	Tate
Allen	Grisham	Reeves	Van Antwerp
Cooper	James	Roberts	Vann
Davis (Lowndes)	Lamberth	Robison	Yarbrough (Autauga)
Davis (Pickens)	Leonard	Smith	Yarbrough (Randolph)
Flowers	Little		

—21

The Bill:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Coleman	Davis (Lowndes)
Allen	Cantrell	Cooper	Davis (Pickens)

Dyar	Jones	Smith	Vann
Eddins	Newton	Tate	Yarbrough (Autauga)
Engelhardt	Roberts	Van Antwerp	Yarbrough (Randolph)
James	Skidmore		

—21

The Bill:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	James	Moses	Tate
Allen	Jones	Newton	Van Antwerp
Boutwell	Lamberth	Roberts	Vann
Davis (Lowndes)	Leonard	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Little	Smith	Yarbrough (Randolph)
Dyar	Metcalf		

—21

The Bill:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Boutwell	Davis (Pickens)	Jones	Skidmore
Calvin	Flowers	Lamberth	Vann
Cantrell	Givhan	Moses	Yarbrough (Autauga)
Coleman	Goodwin	Roberts	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 818. To provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Goodwin	Little
Boutwell	Engelhardt	Grisham	Metcalf
Davis (Pickens)	Flowers	Lamberth	Moses
Dyar	Givhan	Leonard	Newton

Reeves
Roberts

Robison
Tate

Vann

Yarbrough (Randolph)

—21

The Bill:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Coleman
Cooper
Davis (Lowndes)
Davis (Pickens)

Dyar
Eddins
Engelhardt
James
Jones
Lamberth

Leonard
Little
Metcalf
Roberts
Robison
Smith

Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

21

The Bill:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Bradford
Calvin
Cantrell

Davis (Pickens)
Dyar
Eddins
Engelhardt
Flowers
Givhan

James
Metcalf
Roberts
Robison
Skidmore

Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to au-

thorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Newton	Tate
Allen	Cooper	Reeves	Van Antwerp
Boutwell	Davis (Lowndes)	Robison	Vann
Bradford	Davis (Pickens)	Skidmore	Yarbrough (Autauga)
Calvin	Dyar	Smith	Yarbrough (Randolph)
Cantrell	Eddins		

—21

The Bill:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6,500 and not more than 6,900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of

Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Engelhardt	Leonard	Tate
Boutwell	Flowers	Little	Van Antwerp
Calvin	Goodwin	Moses	Vann
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Engelhardt	Newton
Allen	Cooper	Flowers	Reeves
Boutwell	Davis (Lowndes)	Lamberth	Roberts
Bradford	Davis (Pickens)	Leonard	Skidmore
Calvin	Dyar	Metcalf	Yarbrough (Randolph)
Cantrell	Eddins		

— 21

The Bill:

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Newton	Tate
Allen	Eddins	Reeves	Van Antwerp
Boutwell	James	Roberts	Vann
Calvin	Jones	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Metcalf	Smith	Yarbrough (Randolph)
Davis (Pickens)	Moses		

—21

The Bill:

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Skidmore
Allen	Dyar	Little	Smith
Boutwell	Eddins	Metcalf	Tate
Bradford	Engelhardt	Moses	Vann
Coleman	Flowers	Newton	Yarbrough (Randolph)
Cooper	Lamberth		

—21

The Bill:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Goodwin	Skidmore
Allen	Cooper	Lamberth	Smith
Boutwell	Davis (Lowndes)	Little	Van Antwerp
Bradford	Davis (Pickens)	Metcalf	Yarbrough (Autauga)
Calvin	Flowers	Moses	Yarbrough (Randolph)
Cantrell	Givhan		

—21

The Bill:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Metcalf	Skidmore
Allen	Davis (Pickens)	Moses	Smith
Boutwell	Goodwin	Newton	Tate
Bradford	Lamberth	Reeves	Van Antwerp
Calvin	Leonard	Robison	Vann
Cooper	Little		

—21

The Bill:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county

to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Reeves	Tate
Boutwell	James	Roberts	Van Antwerp
Calvin	Jones	Robison	Vann
Cantrell	Metcalf	Skidmore	Yarbrough (Autauga)
Dyar	Moses	Smith	Yarbrough (Randolph)
Eddins	Newton		

—21

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Boutwell	Davis (Pickens)	Lamberth	Van Antwerp
Calvin	Dyar	Leonard	Vann
Cantrell	Eddins	Little	Yarbrough (Autauga)
Coleman	Engelhardt	Roberts	Yarbrough (Randolph)
Cooper	Flowers		

—21

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed

the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Hawkins:

H. 812. To amend Code of Alabama, Title 51, Section 606.

Also:

By Mr. Hawkins:

H. 504. To amend Title 51, Section 122, as amended, of the Code of Alabama 1940.

Also:

By Messrs. Hawkins and Hanby:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 812. To the Committee on Judiciary.

H. B.'s 504 and 857. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Brannan:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Also:

By Messrs. Brannan and Kendall:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levy of special taxes for public hospital purposes.

Also:

By Messrs. Harrison, Dement, Locke (Choctaw), Lee (Barbour), Ramey, McLendon, Ward, Brown (Lee), Thomas, Brannan, Brassell, Johnson (Tallapoosa), deGraffenried, Ashworth, Vacca, and Selman:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Also:

By Messrs. Dawkins and Hawkins:

H. 728. To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Also:

By Messrs. Oden, Brown (Lamar), Branyon and Davis:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Also:

By Messrs. Hawkins, Edwards (Escambia), Meeks and Money:

H. 216. To make an appropriation for the support of the Council of State Governments.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 334, 480, 728, 586 and 216. To the Committee on Finance and Taxation.

H. B. 676. To the Committee on Judiciary.

(The above bill, H. B. 480, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTION

The Rules Committee offered the following Senate Joint Resolution, to-wit:

By the Rules Committee:

S. J. R. 67. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 19th, at 10 A. M.

And said Resolution was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 273

Strike out "one dollar" appearing in subsection (3) of Section 10 and insert in lieu thereof the words, "five dollars."

Which was adopted.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)
Dyar	Jones	Roberts	

Nays: Messrs. Boutwell and Coleman.

—2

The Standing Committee on Finance and Taxation also reported the following amendment to the Bill, H. B. 273, to-wit:

COMMITTEE AMENDMENT TO H. B. 273

Amend H. B. 273, as amended, by striking out Section 16 of the bill and renumber the remaining sections of the bill in sequence.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—33

Mr. Robison offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 273

Amend Section 6, paragraph (1), line 6, of H. B. 273, as amended, by striking the word "on", next preceding the words "the day", and substituting therefor the words, "within thirty days from".

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—33

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Coleman	Flowers	Lamberth
Allen	Cooper	Givhan	Leonard
Boutwell	Davis (Lowndes)	Goodwin	Little
Bradford	Dyar	Grisham	Metcalf
Calvin	Eddins	James	Moses
Cantrell	Engelhardt	Jones	Newton

Reeves
Roberts
Robison

Skidmore
Smith
Tate

Van Antwerp
Vann

Yarbrough (Autauga)
Yarbrough (Randolph)

—33

The Bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 788

Amend Section 1, paragraph (2), entitled "Adjusted Gross Income", by adding the following:

(6) The amounts received by a corporation as dividends from a corporation, or any subsidiary corporation of which the parent corporation owns as much as fifty percent of the capital stock, which is taxable under this Act upon the adjusted gross income of the parent corporation or the subsidiary.

Which was adopted.

Yeas 33; Nay 1.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalfe	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James		

—33

Nay: Mr. Yarbrough (Randolph).

—1

The Standing Committee on Finance and Taxation also reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 788

Add the following paragraph to Section 3 of the bill:

(8) National Banks, State chartered banks and Production Credit Associations.

Which was adopted.

Yeas 29; Nays 4.

Yeas:

Messrs.:	Cantrell	Dyar	Goodwin
Allen	Coleman	Eddins	Grisham
Boutwell	Cooper	Engelhardt	James
Bradford	Davis (Lowndes)	Flowers	Jones
Calvin	Davis (Pickens)	Givhan	Lamberth

Leonard	Reeves	Skidmore	Tate
Little	Roberts	Smith	Yarbrough (Autauga)
Newton	Robison		

—29

Nays: Messrs. Moses, Van Antwerp, Vann, and Yarbrough (Randolph).—4

The Standing Committee on Finance and Taxation also reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 788

Amend House Bill 788 by striking out paragraphs (3) and (4) on Page 3 of the bill in their entirety.

And by inserting at the end of Section 3 on Page 5 the following:

“(9) Insurance Companies and insurers upon which the statutes of Alabama impose a tax upon their premium income.”

Which was adopted.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Coleman	James	Reeves
Allen	Cooper	Jones	Roberts
Boutwell	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Smith
Cantrell	Givhan	Newton	Yarbrough (Autauga)

—23

Nays:

Messrs.:	Dyar	Moses	Vann
Davis (Lowndes)	Goodwin	Tate	Yarbrough (Randolph)
Davis (Pickens)	Grisham	Van Antwerp	

—10

Mr. Skidmore offered the following amendment to the Bill, as amended, to-wit:

Amend H. B. 788, as amended, by adding the following sub-section to Section 3 of the bill:

“(10) Federal and State chartered Savings and Loan Associations.”

Which was adopted.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Coleman	James	Reeves
Allen	Davis (Pickens)	Jones	Roberts
Boutwell	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Smith
Cantrell	Givhan	Newton	Yarbrough (Autauga)

—23

Nays:

Messrs.:	Dyar	Metcalf	Van Antwerp
Cooper	Goodwin	Moses	Vann
Davis (Lowndes)	Grisham	Tate	Yarbrough (Randolph)

—11

Mr. Robison offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 788

Amend Section 7 of H. B. 788 as amended, by deleting from the 6th line of the first sentence the words "on the day" and substituting therefor the words "within 30 days from the day".

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

Also:

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, section 105(1).

G. W. YARBROUGH,
Vice-Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Adams and Vacca:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Also:

By Messrs. Dawkins, Hawkins, deGraffenried, Davis, Mathews, Brown (Lamar), Lee (Barbour), Stembridge, Ward, Simon, Ramey, Martin, Dement, and Branyon:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Also:

By Mr. Dawkins:

H. 433. To amend Section 695 of Article 8 of Title 51 of the Code of Alabama of 1940.

Also:

By Mr. Brannan:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Also:

By Mr. Brannan:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 324. To the Committee on Municipalities and Municipal Organizations.

H. B.'s 871, 433, 189 and 190. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Adams and Vacca:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

By Messrs. Adams and Vacca:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to

provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

Also:

By Messrs. Adams and Vacca:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 638, 639 and 317. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Hodges:

H. 732. To require the Attorney General to digest, compile, and have printed all constitutional and general statutory provisions of this State relating to elections; to provide for the distribution of copies of such publication; and to provide funds to carry out the provisions of the Act.

Also:

By Mr. Stembridge:

H. 222. Relating to the use tax; amending Section 788, Title 51, Code of Alabama, 1940, as amended, by providing for the imposition of an excise tax upon any tangible personal property already subjected to sales or use taxation by any other state or political subdivision thereof, in an amount less than that imposed by Alabama, at a rate measured by the difference between the previous rate and the rate of the Alabama use tax; and providing that no tax shall be due upon such articles of tangible personal property if the tax imposed in such other state or political subdivision is equivalent to or greater than the rate imposed in Alabama.

Also:

By Mr. Meeks:

H. 884. To authorize service of certain notices, subpoenas, citations

and other writings by certified mail in lieu of service thereof by registered mail.

Also:

By Messrs. Brewer and Haltom:

H. 581. To regulate further the issuance and recording of certificates of judgments of courts of record.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 222. To the Committee on Finance and Taxation.

H. B.'s 732, 884 and 581. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Kaul, Windle, Davis, Pirkle, and Locke (Choctaw):

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States

by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 179. To the Committee on Forestry and Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Dawkins, Burkhalter and Law:

H. 348. To amend Section 39, Title 8 of the 1940 Code of Alabama, relating to non-resident state fishing licenses.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 348. To the Committee on Fish and Game.

BILLS ON THIRD READING RESUMED

The Bill:

H. B. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 211

Amend House Bill No. 211 by striking therefrom Subsection I of Section 19 and substituting in lieu thereof the following words and figures:

"I. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursuant to Constitutional Amendment) 4,400,000.00

Funds of the above appropriation not required for debt service payments shall be transferred to the Alabama Building Commission for allocation and distribution to eleemosynary and/or to educational institutions for capital outlay purposes."

The Standing Committee on Finance and Taxation also offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 211

Add the following item to subsection B of Section 7:

(4) For clinical psychology and psychiatry 50,000.00

Also, amend item (1) of subsection C, Section 8, by striking out the figures "865,000.00" and inserting in lieu thereof the following: 926,000.00.

Also, strike out the figures "150,000.00" appearing in Section 16 and insert in lieu thereof the figures "200,000.00."

Also, strike out the figures "118,000.00" appearing in Section 17 and insert in lieu thereof the figures "120,000.00."

Messrs. Boutwell, Robison, Coleman and Eddins offered the following substitute for the Bill and pending Committee amendments, to-wit:

SUBSTITUTE FOR HOUSE BILL 211 AND COMMITTEE AMENDMENT

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following appropriations from the Alabama Special Educational Trust Fund unless otherwise indicated are absolute appropriations to the institution or agency named, however, if it is indicated that certain amounts are appropriated "Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Gov-

error" the amounts so appropriated shall only be made payable to the agency or institution as provided in Section 101 of Title 55, 1940 Code of Alabama, which governs release of allotments so appropriated. The release of any funds for conditional appropriations shall only be made on the basis of proration of such release to each agency or institution as that conditional appropriation to each agency or institution bears to the total conditional appropriations made to all agencies and institutions and no such conditional appropriation shall be allotted during the first quarter of the fiscal year ending September 30, 1956. The appropriations are hereby made for the support of public education in Alabama; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55, of the Code of Alabama 1940).

Section 2. DEPARTMENT OF EDUCATION. There is hereby appropriated for each of the fiscal years 1955-56 and 1956-57 to the Department of Education the following amounts:

For the fiscal year ending September 30,
1956:

Salary of the State Superintendent	\$10,000.00	
Other Salaries	234,700.00	
Other expenses	128,593.00	
Equipment purchases	1,000.00	
Transfer to State Personnel Department.....	3,707.00	
<hr/>		
Total		\$378,000.00
For Plans and Surveys		25,000.00

For the fiscal year ending September 30,
1957:

Salary of the State Superintendent	\$10,000.00	
Other salaries	234,700.00	
Other expenses	128,492.00	
Equipment purchases	1,000.00	
Transfer to State Personnel Department	3,808.00	
<hr/>		
Total		\$378,000.00
For Plans and Surveys		25,000.00

Section 3. REVOLVING FUND. There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1956 and September 30, 1957, the sum of \$50,000.00 to be known as the Revolving Fund to be expended to relieve emergency conditions that arise in connection with the operation of the public schools, or in otherwise aiding the public schools in accordance with the provisions of statutes relating to the expenditure of such fund.

Section 4. MINIMUM PROGRAM FUND. In addition to all other funds appropriated for the public elementary and high schools of the State there is hereby appropriated to the State Board of Education for the fiscal years ending September 30, 1956 and September 30, 1957 the sum of \$64,797,389.00; conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor, there is hereby appropriated for the fiscal year ending September 30, 1956 the sum of \$16,073,044.00 and for the fiscal year ending September 30, 1957 the sum of \$18,231,144.00 to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that in no case

shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

Section 5. FREE TEXTBOOKS. There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1956 and September 30, 1957, the sum of \$450,000.00; conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor, there is hereby appropriated for each of the fiscal years ending September 30, 1956, and September 30, 1957, the sum of \$447,000.00 to be expended for the purpose of furnishing free textbooks in the tax-supported public elementary schools of the State in accordance with the statutes and regulations of the State Board of Education in regard thereto.

Section 6. ALABAMA COLLEGE:

For the operation and maintenance of the College.....	\$ 534,000.00
For the operation and maintenance of the College conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	36,000.00

Section 7. UNIVERSITY OF ALABAMA:

A. The University:

(1) For operation and maintenance	2,505,000.00
For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.....	945,000.00
(2) For School of Nursing	41,500.00
For School of Nursing conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.....	8,500.00
(3) Tuberculosis Nursing (Education)	25,900.00

B. The University of Alabama Medical Center:

(1) For the Medical College and School of Nursing, for maintenance and operation	827,000.00
For the Medical College and School of Nursing, for maintenance and operation conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.....	123,000.00
(2) For clinical Psychology and Psychiatry	25,000.00
For clinical Psychology and Psychiatry conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	25,000.00
(3) For expense to Jefferson-Hillman Hospital for indigent patient treatment during instruction of medical students	223,000.00

For expense to Jefferson-Hillman Hospital for indigent patient treatment during instruction of medical students conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 277,000.00

(4) For the School of Dentistry, for maintenance and operation 489,000.00

For the School of Dentistry, for maintenance and operation conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 61,000.00

The above appropriation for the Alabama Medical Center shall be expended pursuant to the provisions of Act No. 89, 1943 Acts, page 89, and Section 9 of Act No. 207, 1945 Acts, page 325.

C. Research and Extension:

For research and extension work 166,000.00

For research and extension work conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor... 29,000.00

The above appropriation shall be expended pursuant to the provisions of Act No. 157, 1943 Acts, page 142.

Section 8. ALABAMA POLYTECHNIC INSTITUTE:

A. The College:

(1) For operation and maintenance 2,243,000.00

For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 807,000.00

(2) For operation and maintenance of Farm Machinery Building 12,000.00

(3) Engineering Experiment Station conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 85,000.00

B. School of Forestry:

(1) For instruction in forestry and training for agricultural students 26,000.00

For instruction in forestry and training for agricultural students conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 15,500.00

(2) For research in forestry 32,500.00

For research in forestry conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 1,500.00

The above appropriations to the School of Forestry shall be expended pursuant to the provisions of Act No. 294, 1945 Acts, page 488.

C. Extension Work for Agriculture and Home Economics:

(1) For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services 768,500.00

For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	157,500.00
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(2) For extension service marketing specialists, for salaries and expenses	78,000.00
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For extension service marketing specialists, for salaries and expenses conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	2,000.00
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The appropriation herein made to the Extension Service shall be expended under the direction of the Board of Trustees of the Alabama Polytechnic Institute through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal Government.

D. Agricultural Research:

(1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation.....	458,500.00
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Alabama Agricultural Experiment Station at Auburn, for work and experimentation conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.	141,500.00
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(2) For floriculture and ornamental horticulture study and research	14,500.00
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For floriculture and ornamental horticulture study and research conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	800.00
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(3) Tennessee Valley Branch Station located at Bell Mina in Limestone County	17,450.00
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Tennessee Valley Branch Station located at Bell Mina in Limestone County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,150.00
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(4) Sand Mountain Branch Station located at Crossville in DeKalb County	17,450.00
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Sand Mountain Branch Station located at Crossville in DeKalb County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.....	1,150.00
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(5) Black Belt Branch Station located at Marion Junction in Dallas County	19,950.00
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Black Belt Branch Station located at Marion Junction in Dallas County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.....	1,050.00
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(6) Wiregrass Branch Station located at Head land in Henry County	17,450.00
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Wiregrass Branch Station located at Headland in Henry County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,150.00
(7) Gulf Coast Branch Station located at Fairhope in Baldwin County	19,950.00
Gulf Coast Branch Station located at Fairhope in Baldwin County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,050.00
(8) Piedmont Experiment Branch Station	19,950.00
Piedmont Experiment Branch Station conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,050.00
(9) Upper Coastal Plains Branch Station	19,950.00
Upper Coastal Plains Branch Station conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,050.00
(10) Lower Coastal Plains Branch Station	19,950.00
Lower Coastal Plains Branch Station conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,050.00
(11) For the support of researches and experiments on experiment fields	30,000.00
For the support of researches and experiments on experiment fields conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,800.00
(12) Horticultural Branch Station in Chilton County	17,450.00
Horticultural Branch Station in Chilton County conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,150.00
(13) Horticultural Branch Station in North Alabama	17,450.00
Horticultural Branch Station in North Alabama conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	1,150.00
(14) Wiregrass Experiment Station at Headland, Alabama	12,950.00
(The appropriation to the Wiregrass Experiment Station at Headland, Alabama is to be devoted to the payment of salaries and other expenses incidental to conducting experiments and research in developing methods of producing, harvesting, marketing, and processing peanuts and preventing damage to peanut crops.)	
(15) Co-operative research at the Agricultural and Experimental Sub-Stations	47,500.00

(16) Research on Pink Boll Worm 15,000.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (D) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1956 and September 30, 1957.

The funds provided in this sub-section (D) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops, for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

E. Education Television \$85,000.00

Section 9. TEACHERS' RETIREMENT SYSTEM:

For each of the fiscal years ending September 30, 1956 and September 30, 1957 3,828,000.00

Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor for each of the fiscal years ending September 30, 1956 and September 30, 1957 747,000.00

TEACHERS' SPECIAL PENSION FUND:

For the fiscal year ending September 30, 1956..... 555,000.00

For the fiscal year ending September 30, 1957..... 655,000.00

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund and Teachers' Special Pension Fund.

Section 10. ALABAMA STATE COLLEGE FOR NEGROES:

For the operation and maintenance of the College 777,000.00

	For the operation and maintenance of the College conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	248,000.00
Section 11.	AGRICULTURAL AND MECHANICAL INSTITUTE AT NORMAL, ALABAMA:	
	For the operation and maintenance of the Institute	518,000.00
	For the operation and maintenance of the Institute conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	87,000.00
Section 12.	THE TEACHERS COLLEGES:	
	(a) State Teachers College at Florence	95,500.00
	(b) State Teachers College at Jacksonville	95,500.00
	(c) State Teachers College at Livingston	88,500.00
	(d) State Teachers College at Troy	88,500.00
Section 13.	ALABAMA INSTITUTE FOR DEAF AND BLIND:	
	For the maintenance, support, insurance and upkeep..	698,000.00
	For the maintenance, support, insurance and upkeep conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	75,192.00
	For salaries and expenses incident to instruction of Adult Blind	55,000.00
	For salaries and expenses incident to instruction of Adult Blind conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor for the fiscal year ending September 30, 1956	54,000.00
	For salaries and expenses incident to instruction of Adult Blind conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor for the fiscal year ending September 30, 1957	30,000.00
Section 14.	VOCATIONAL TRADE SCHOOLS:	
	For operation and maintenance:	
	(a) Napier	108,000.00
	Napier — Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	53,000.00
	(b) Wenonah	88,000.00
	Wenonah — Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	84,000.00
	(c) Tuscaloosa	85,000.00
	Tuscaloosa — Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	62,000.00

(d) Mobile	85,000.00
Mobile — Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	80,000.00
(e) Decatur	104,000.00
Decatur — Conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	90,000.00
(f) Alabama School of Trades and Industries	138,400.00
Alabama School of Trades and Industries conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	55,600.00
Section 15. ALABAMA BOYS' INDUSTRIAL SCHOOL:	
For the maintenance, support, insurance and upkeep of the Alabama Boys' Industrial School	191,200.00
For the maintenance, support, insurance and upkeep of the Alabama Boys' Industrial School conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	52,800.00
Section 16. ALABAMA INDUSTRIAL SCHOOL FOR NEGROES:	
For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes	150,000.00
For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	50,000.00
Section 17. STATE TRAINING SCHOOL FOR GIRLS:	
For the maintenance, support, insurance and upkeep of the State Training School for Girls	90,000.00
For the maintenance, support, insurance and upkeep of the State Training School for Girls conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	30,000.00
Section 18. ALABAMA EDUCATIONAL TELEVISION COMMISSION:	
For salaries, other expenses and equipment purchases incident to the operation of the Commission and its Television Network	125,000.00
For salaries, other expenses and equipment purchases incident to the operation of the Commission and its Television Network conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor	125,000.00
Section 19. MISCELLANEOUS:	
A. Civilian Rehabilitation:	
Handicapped individuals	350,000.00

Handicapped individuals conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor		422,000.00
(No administrative costs included herein.)		
B. Elementary Teachers' Scholarship Fund		25,000.00
C. Illiteracy Fund:		
For salaries	5,280.00	
For other expenses	1,400.00	
For disbursement to Counties	5,820.00	
Total		12,500.00
D. Physical Restoration of Crippled Children:		
For salaries	45,000.00	
For other expenses	17,000.00	
Reimbursement to local Boards for District Offices	15,000.00	
Handicapped Individuals	378,000.00	
Total		455,000.00
For Handicapped Individuals conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor		16,000.00
E. Regional Education		69,250.00
Regional Education conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor		7,000.00
F. Student Aid in graduate and professional fields		60,500.00
Student Aid in graduate and professional fields conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor		22,000.00
G. Teacher Training Equalization Fund:		
For the teacher training program at State Teachers Colleges at Florence, Jacksonville, Livingston and Troy		988,034.00
For the teacher training program at State Teachers Colleges at Florence, Jacksonville, Livingston and Troy conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor		276,966.00
H. Vocational Education:		
For salaries	25,920.00	
For other expenses	16,807.50	
For equipment purchases	2,500.00	
Disbursements to Local Boards and Institutions	2,407,672.50	
Total		2,452,900.00

Disbursements to Local Boards and Institutions conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 1,447,100.00

I. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursuant to Constitutional Amendment) conditional upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor 4,400,000.00

Funds of the above appropriation not required for debt service payments shall, upon order of the Governor be transferred to the Alabama Building Commission for allocation and distribution to the eleemosynary and educational institutions of the State for capital outlay purposes only.

Section 20. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the Alabama College, the University of Alabama, the Alabama Polytechnic Institute, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School for Negroes, the State Training School for Girls, the Alabama Educational Television Commission and for the Teachers' Retirement System by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 21. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provisions, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 22. All laws and parts of laws, general, special, private or local, in conflict with the provisions of this Act are hereby expressly repealed.

Section 23. This Act shall become effective on October 1, 1955.

On motion of Mr. Yarbrough (Randolph), said substitute was laid on the table.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Givhan	Leonard	Skidmore
Allen	Goodwin	Little	Smith
Bradford	Grisham	Metcalf	Van Antwerp
Cantrell	James	Moses	Vann
Dyar	Jones	Newton	Yarbrough (Autauga)
Flowers,	Lamberth	Roberts	Yarbrough (Randolph)

Nays:

Messrs.:	Coleman	Davis (Pickens)	Reeves
Boutwell	Cooper	Eddins	Robison
Calvin	Davis (Lowndes)	Engelhardt	Tate

—11

The question was then on the following amendment to the Bill, H. B. 211, offered by the Standing Committee on Finance and Taxation:

AMENDMENT TO HOUSE BILL 211

Amend House Bill No. 211 by striking therefrom Subsection 1 of Section 19 and substituting in lieu thereof the following words and figures:

"I. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursuant to Constitutional Amendment) 4,400,000.00

Funds of the above appropriation not required for debt service payments shall be transferred to the Alabama Building Commission for allocation and distribution to eleemosynary and/or to educational institutions for capital outlay purposes."

Mr. Coleman moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Smith
Boutwell	Davis (Pickens)	James	Tate
Calvin	Eddins	Reeves	Yarbrough (Autauga)
Coleman	Engelhardt	Robison	

—14

Nays:

Messrs.:	Dyar	Leonard	Roberts
Allen	Flowers	Little	Skidmore
Bradford	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Moses	Vann
Cooper	Lamberth	Newton	Yarbrough (Randolph)

—19

And said Committee amendment to the Bill was then adopted.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Newton
Allen	Dyar	Leonard	Roberts
Bradford	Flowers	Little	Van Antwerp
Cantrell	Goodwin	Metcalf	Vann
Cooper	Grisham	Moses	Yarbrough (Randolph)

—19

Nays:

Messrs.:	Calvin	Davis (Pickens)	Engelhardt
Boutwell	Coleman	Eddins	Givhan

James
ReevesRobison
SkidmoreSmith
Tate

Yarbrough (Autauga)

—14

The following amendment offered by the Standing Committee on Finance and Taxation to the Bill, H. B. 211, was then adopted:

AMENDMENT TO H. B. 211

Add the following item to subsection B of Section 7:

(4) For clinical psychology and psychiatry 50,000.00

Also, amend item (1) of subsection C, Section 8, by striking out the figures "865,000.00" and inserting in lieu thereof the following: 926,000.00

Also, strike out the figures "150,000.00" appearing in Section 16 and insert in lieu thereof the figures "200,000.00"

Also, strike out the figures "118,000.00" appearing in Section 17 and insert in lieu thereof the figures "120,000.00"

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—33

Mr. Davis (Pickens) offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT OF H. B. 211

Amend H. B. 211, as amended, by adding the following at the end of Section 20:

And provided further, that all appropriations for the operation of the public school system shall cease and become inoperative for the time any pupil or pupils shall by order of any court attend a school other than that which he or she is now attending or to which he or she may be assigned by his or her local board of education; but this provision shall not in any way affect the operation of any school other than the school affected by such order.

Which was lost.

Yeas 12; Nays 21.

Yeas:

Messrs.:	Davis (Lowndes)	Engelhardt	Smith
Bradford	Davis (Pickens)	Givhan	Tate
Coleman	Eddins	James	Yarbrough (Autauga)
Cooper			

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Nays:

Messrs.:	Boutwell	Cantrell	Flowers
Allen	Calvin	Dyar	Goodwin

Grisham	Metcalf	Roberts	Van Antwerp
Lamberth	Moses	Robison	Vann
Leonard	Newton	Skidmore	Yarbrough (Randolph)
Little	Reeves		

—21

Mr. Yarbrough (Randolph) offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. 211 BY MR. YARBROUGH (RANDOLPH)

Amend Section 19 of H. 211, as amended, by adding Subsection J as follows:

"J. MINIMUM PROGRAM FUND. An amount totaling \$2,871,546 remaining in the State Treasury to the credit of the Alabama Special Educational Trust Fund after all appropriations have been paid in full on September 30, 1955, or as much thereof as is available, is hereby appropriated to the Minimum Program Fund, with the provision that one-half of said amount is hereby appropriated to the Minimum Program Fund for the fiscal year ending September 30, 1956, and the remaining one-half of said amount is hereby appropriated for the fiscal year ending September 30, 1957. The amount hereby appropriated is not to be transferred from the Alabama Special Educational Trust Fund to the Alabama Special Educational Trust Fund Surplus Account, and all laws and parts of laws that may be in conflict with the provisions of this Act are hereby expressly repealed to the extent of the conflict."

Which was adopted.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Dyar	Lamberth	Reeves
Allen	Engelhardt	Leonard	Roberts
Boutwell	Flowers	Little	Robison
Calvin	Givhan	Metcalf	Skidmore
Cantrell	Goodwin	Moses	Vann
Coleman	Grisham	Newton	Yarbrough (Randolph)
Davis (Lowndes)			

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Nays:

Messrs.:	Eddins	Smith	Van Antwerp
Bradford	James	Tate	Yarbrough (Autauga)
Cooper			

—8

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Skidmore
Allen	Dyar	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Goodwin	Newton	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth	Robison	

—30

Nays: Messrs. Coleman, Eddins, and Engelhardt.

—3

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolution.

S. J. R. 67. Relative to adjournment of the two Houses to meet again on Friday, August 19th at 10 A. M.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Fite and Martin:

H. 452. To authorize and provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of controlled-access facilities; defining such terms; providing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 452. To the Committee on Public Roads and Highways.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-First Legislative Day was approved by the Senate.

ADJOURNMENT

At 7:45 P. M. on motion of Mr. Metcalf, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 19, 1955, at 10 o'clock A. M.

THIRTY-SECOND LEGISLATIVE DAY
FRIDAY, AUGUST 19, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend T. A. Chandler, Pastor, Memorial Heights Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the Original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Also:

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

Also:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Also:

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Also:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Also:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Also:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Also:

H. 818. To provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

Also:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An Act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Also:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indi-

gent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Also:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Also:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Also:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6,500 and not more than 6,900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

Also:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Also:

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

Also:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Also:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

Also:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Also:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Roberts:

S. B. 365. To amend Act No. 131, S. 9, approved July 12, 1955, which regulates the compensation of certain circuit judges.

Committee on Judiciary.

By Mr. Roberts:

S. B. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office of deputy solicitor in St. Clair County is abolished, and there is hereby created in lieu thereof the office of county solicitor of St. Clair County.

Section 2. The county solicitor shall be a person learned in the law who has been admitted to the practice of law in the State of Alabama and is a qualified elector of St. Clair County. The county solicitor shall during his term of office, maintain an office at the county seat of St. Clair County, and his office shall be open to the public for the transaction of official business at all hours when the office of the judge of probate is open for the transaction of business.

Section 3. Immediately upon the effective date of this Act, the Governor shall appoint a qualified person to serve as county solicitor of St. Clair County, which person shall hold office until the first Monday after the second Tuesday in January, 1957. His successor shall be elected by the qualified electors of St. Clair County at the general election to be held in 1956, and every four years thereafter, and he shall hold office for a term of four years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

Section 4. In the event of a vacancy in the office of county solicitor of St. Clair County, the judge of probate of the county shall notify the circuit solicitor of the judicial circuit in which St. Clair County is located, and the vacancy shall be filled by appointment of such circuit solicitor. A person appointed to fill such vacancy shall hold office until the next general election for any state officer held at least six months after the vacancy occurs, and until his successor is elected and qualified. His successor shall be chosen at such election and shall hold office for the unexpired term, and until his successor is elected and qualified.

Section 5. The county solicitor of St. Clair County shall represent the State of Alabama in all criminal cases in the Inferior Court of the county in all preliminary proceedings, in all applications for bail, in all habeas corpus proceedings, in all other criminal proceedings in the county requiring the services of a prosecuting attorney, and in all cases in the juvenile court of the county; attend coroner's inquests; examine witnesses and select such witnesses as in his judgement should be and appear before the court of the county in preliminary proceedings, applications for bail, or habeas corpus proceedings, and before the grand jury of the county; aid and act for the circuit solicitor of the judicial circuit in which St. Clair County is located before the grand jury and in all matters in the circuit court of the county when requested to do so by the circuit solicitor; perform all of the duties of the circuit solicitor in his absence when called upon to do so by the court of county commissioners, board of revenue, or like county governing body of St. Clair County; and perform such other duties as may be required by law.

The county solicitor shall have all the powers and shall perform all the duties which are now or which may hereafter be conferred on or imposed upon deputy solicitors in this State. He shall not represent or defend as attorney any defendant in any criminal case in any court of the State of Alabama or the United States.

Section 6. The county solicitor of St. Clair County shall receive a salary of two thousand four hundred dollars (\$2,400) per annum, to be paid out of the general funds of the county in twelve equal installments, on warrants properly drawn against such funds.

Section 7. The court of county commissioners, board of revenue, or like governing body of St. Clair County shall furnish the county solicitor of St. Clair County with adequate and suitable office space, and with such equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps, as are necessary for the proper and efficient discharge of the duties of his office.

Section 8. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ST. CLAIR COUNTY

On this 11 day of Aug., 1955, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, Jean Davis, who being duly sworn according to Law, declares that she is Assistant Editor of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 7-21, 7-28, 8-4, 8-11, 1955. That a copy of said paper was furnished the..... of the Court.

Signed: JEAN DAVIS.

Subscribed and sworn to before me, this 11 day of Aug., A. D., 1955.

ETHEL BLAIR,
Notary Public.

By Mr. Roberts:

S. B. 367. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

Committee on Local Legislation.

By Mr. Yarbrough (Randolph):

S. 368. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160,

approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA, COUNTY OF CHAMBERS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The clerk of the circuit court of Chambers County, Alabama, is hereby authorized and empowered to employ a deputy, if in his judgment that is necessary to the proper functioning of his office, such deputy to serve at the will and pleasure of the clerk, who shall fix his compensation at not less than fifteen hundred nor more than twenty-four hundred dollars per annum. The compensation of said deputy so appointed shall be paid out of the general fund of Chambers County, in equal monthly installments, on warrants drawn by the court of county commissioners, board of revenue, or like governing body of the county.

Section 2. The deputy appointed by the circuit clerk shall have full power to transact all business of the clerk in his capacity as clerk and register of the circuit court, after first taking an oath to support the Constitution and laws of this State.

Section 3. Act No. 30, H. 160, approved June 27, 1947, which provided for a clerk in the office of the circuit clerk of Chambers County (Local Acts of 1947, p. 24), as amended by Act No. 279, H. 800, approved July 22, 1949 (Acts of 1949, p. 404) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the at-

tached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1955.

BONNIE HAND.

Sworn to and subscribed before me August 18, 1955.

E. M. SCHUESSLER,

Notary Public, Chambers County, Alabama.

By Mr. Lamberth (by request):

S. B. 369. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

Committee on Judiciary.

By Mr. Jones:

S. 370. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that there will be introduced in and passage thereof sought by the 1955 Legislature of Alabama of a bill relating to Baldwin County substantially and in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County;

nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County.

Section 2. This Act shall become operative thirty days after its passage and approval or its otherwise becoming a law.

Section 3. All laws local, general and special in conflict herewith are expressly repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declarations shall not affect the part which remains.

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA
BALDWIN COUNTY**

Jo Ann Flirt being duly sworn, deposes and says that she is the Associate Editor of The Foley Onlooker, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of A Local Bill was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 28, 1955

Date of 2nd publication August 4, 1955

Date of 3rd publication August 11, 1955

Date of 4th publication August 18, 1955

JO ANN FLIRT,
Associate Editor, The Foley Onlooker,
Foley, Alabama.

Subscribed and sworn to before me this 18th day of Aug., 1955.

G. MacHUMPHRIES,
Notary Public.

By Mr. Robison:

S. B. 371. To require the driver of any vehicle which strikes any horse, dog, cat or animal classified as stock, to stop and render aid to such animal, to notify the owner, custodian or officer thereof, to provide for the actions of such officer receiving such report and to provide penalties of this act, and manner of arrest for violation of same.

Committee on Public Roads and Highways.

By Mr. Flowers:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for

paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation, and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect," be and the same is hereby amended so as to read as follows: Section 1. That the Sheriff of Houston County, Alabama shall receive and be paid an annual salary of Fifty Four Hundred (\$5400) Dollars, in lieu of other compensation, fees and emoluments, except as otherwise hereinafter provided for in this Act. The said Sheriff shall be allowed the sum of Twenty Thousand and Five Hundred (\$20,500) Dollars per annum for help and assistants as follows: One Chief deputy at Three Thousand Three Hundred (\$3,300) Dollars per annum; Three deputies at Two Thousand Seven Hundred (\$2,700) Dollars each per annum; Three deputies who shall also serve as jailers at Two Thousand One Hundred (\$2,100) Dollars each per annum; and one bookkeeper-deputy at Twenty-Four Hundred (\$2,400) Dollars per annum. The Sheriff of Houston County shall further be allowed his necessary expenses in apprehending and returning prisoners from other States, up to and including four hundred (\$400) dollars per annum, said expense money to be paid on requisition filed with and approved by the Board of Revenue of Houston County, Alabama. All payments as provided for in this Act shall be paid out of the general funds of Houston County, in equal monthly installments at the end of each month, upon separate warrants drawn in the same manner as employees of Houston County are paid. The selection and appointment of said deputies, jailers and bookkeeper shall be made by the Sheriff of Houston County, and they shall serve only at his pleasure.

SECTION 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

SECTION 3. This Act shall become effective on October 1, 1955 after its passage and approval by the Governor.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Nat C. Faulk, who is known to me and who, being by me first duly sworn, deposes and says: That he is Executive Editor of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 27, Aug. 3, 10, 16, 1955; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

NAT C. FAULK.

Sworn to and subscribed before me on this 16th day of August, 1955.

JOHN D. HENDERSON,
Notary Public.

By Mr. Roberts:

S. B. 373. To investigate the proposed incorporators and directors as to their character and general fitness to serve as officers and directors, and to determine if the insurance company is needed, and if there is a public necessity for, and sufficient business to support said insurance company.

Committee on Insurance.

By Mr. Lamberth:

S. B. 374. To amend further Section 17 of an Act entitled "An Act to provide for absentee voting in primary, general, special and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," approved August 19, 1949, as amended by Act 733, H. 9, approved September 17, 1953. (Acts, 1953, Regular Session, P. 993).

Committee on Finance and Taxation.

By Mr. Metcalf:

S. B. 375. To provide for the selection and qualifications of the County superintendent of education of Geneva County, and for the filling of vacancies in that office.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL
TO BE ENTITLED
AN ACT**

**STATE OF ALABAMA,
COUNTY OF GENEVA.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for the selection and qualifications of the county superintendent of education of Geneva County, and for the filling of vacancies in that office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county superintendent of education of Geneva County shall be elected by the qualified electors of Geneva County at the first election of county officers held after the operative date of this Act and every four years thereafter. He shall hold office for a term of four years from the first day of July next succeeding his election and until his successor is elected and qualified. The incumbent county superintendent of education of Geneva County shall continue to serve until his successor is elected and qualified under the provisions of this Act. Vacancies in the office of county superintendent of education of Geneva County shall be filled for the unexpired term by appointment of the county board of education of Geneva County.

Section 2. The county superintendent of education of Geneva County shall possess all the qualifications prescribed for county superintendents of education by the general laws of the State.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Geneva County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the 1955

regular session of the Legislature. The court of county commissioners, board of revenue, or like governing body of Geneva County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. of the 1955 regular session of the Legislature, approved the day of, 1955, which provides that the county superintendent of education of Geneva County shall be elected, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective immediately. If a majority are "No," this Act shall have no effect. The judge of probate of Geneva County shall certify the results of the election to the Secretary of State.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA GENEVA COUNTY

I, Joel P. Smith, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing July 28, 1955, and ending Aug. 18, 1955.

Witness my hand this 18 day of August, 1955.

JOEL P. SMITH.

Sworn to and subscribed before me this 18 day of Aug., 1955.

WILLIAM J. HOLLEY,
Notary Public.

By Mr. McCall:

S.B. 376. To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA, COUNTY OF GENEVA.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Geneva County as presently constituted is abolished and there is hereby created and

established in lieu thereof a county board of education for Geneva County, which shall consist of seven members. One member of the board shall be elected for, be a qualified elector of, and shall reside in each of the municipalities of Samson, Geneva, Hartford, and Slocumb. The three remaining members of the board must be qualified electors of Geneva County, and may reside at any place in Geneva County, outside the corporate limits of the municipalities of Samson, Geneva, Hartford, and Slocumb. The members of the board shall be elected by the qualified electors of the county-at-large. The members of the board shall elect a chairman from among their number. Members of the board shall be persons of good moral character, with at least a fair elementary education, of good standing in their respective communities, and known for their honesty, business ability, public spirit, and interest in the good of public education. No member of the county board of education shall be an employee of the board.

Section 2. Immediately upon the operative date of this Act, the Governor shall appoint seven persons, properly qualified under Section 1 of this Act, who shall hold office as members of the county board of education until their successors are elected and qualified as herein provided. Three of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1957; two of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1959; and two of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1961. The Governor shall designate the terms for which such persons shall serve at the time of making the appointment. Three members of the board shall be elected at the general election in November, 1956, and every six years thereafter; two members shall be elected at the general election in November, 1958 and every six years thereafter; and two members shall be elected at the general election in November, 1960, and every six years thereafter. Members of the county board of education elected under this Act shall take office on the first Monday after the second Tuesday in January next following their election, and shall serve for terms of six years, and until their members are elected and qualified. The incumbent members of the county board of education of Geneva County shall continue to serve until their successors are appointed and take office as provided herein.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Geneva County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the 1955 regular session of the legislature. The court of county commissioners, board of revenue, or like governing body of Geneva County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No., of the 1955 regular session of the Legislature, approved the day of, 1955, which make certain changes in the board of education of Geneva County, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective immediately. If the majority are "No," this Act shall have no effect. The judge of probate of Geneva County shall certify the results of the referendum to the Secretary of State.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Joel P. Smith, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., do hereby certify

that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing July 28, 1955, and ending Aug. 18, 1955.

Witness my hand this 18 day of August, 1955.

JOEL P. SMITH.

Sworn to and subscribed before me this 18 day of Aug., 1955.

WILLIAM J. HOLLEY,
Notary Public.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 313. To amend further Section 46 of Title 61 of the 1940 Code of Alabama, which relates to the probate and record in the courts of the State of Alabama of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

By Messrs. Boutwell, Robison and Van Antwerp:

S. 360. Relating to the incorporation of certain churches and other religious organizations; prescribing as a prerequisite to incorporation of such churches and religious organizations written permission for such incorporation from the appropriate hierarch, archbishop, bishop or other administrator of the church, sect or denomination with which such proposed corporation is, or appears to be, affiliated, and prescribing that certain recitals be made in the certificate of incorporation.

By Messrs. Boyd, Stokes and Bassett:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

By Messrs. Roberts and Reynolds:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

By Mr. Meeks:

H. 884. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail.

By Mr. Hodges:

H. 732. To require the Attorney General to digest, compile, and have printed all constitutional and general statutory provisions of this State relating to elections; to provide for the distribution of copies of such publication; and to provide funds to carry out the provisions of the Act.

By Mr. Locke (Perry):

H. 685. To amend Section 211 of Title 41, Code of Alabama (1940) which relates to contracts between county officers and the county.

By Messrs. Harrison et al:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

By Mr. Hawkins:

H. 812. To amend Code of Alabama, Title 51, Section 606.

By Messrs. Brewer et al:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Brewer and Haltom (with amendment):

H. 581. To regulate further the issuance and recording of certificates of judgments of courts of record.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Metcalf, Flowers, Leonard, Allen, Roberts, Newton and Moses (with substitute):

S. 79. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered the same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins and Hawkins (with amendment):

H. 728. To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a

favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stembbridge:

H. 222. Relating to the use tax; amending Section 788, Title 51, Code of Alabama, 1940, as amended, by providing for the imposition of an excise tax upon any tangible personal property already subjected to sales or use taxation by any other state or political subdivision thereof, in an amount less than that imposed by Alabama, at a rate measured by the difference between the previous rate and the rate of the Alabama use tax; and providing that no tax shall be due upon such articles of tangible personal property if the tax imposed in such other state or political subdivision is equivalent to or greater than the rate imposed in Alabama.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Oden et al (With amendment):

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins et al:

H. 216. To make an appropriation for the support of the Council of State Governments.

By Messrs. Hawkins and Hanby:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

By Mr. Hawkins:

H. 504. To amend Title 51, Section 122, as amended, of the Code of Alabama 1940.

By Messrs. Brannan and Kendall:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Robison, Lamberth and Roberts (With substitute):

S. 121. To create a temporary commission for the study of Alabama's water resources and quantitative use of same, said Commission to be known as the Water Resource Study Commission; to provide for membership of said Water Resource Study Commission; to provide for the duties of said Commission; to provide for a Technical Secretary for said Commission and to provide for his duties and compensation; to appropriate the sum of \$25,000 for each of the fiscal years 1955 and 1956, for the activities of the Commission and its staff; and to provide for an expiration date for said Commission.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins et al:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brannan (With amendment):

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Mr. Boutwell, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp:

S. 326. To amend Section 65 of Title 9, Code of Alabama (1940), providing for the recovery back of usurious interest paid.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison (With notice and proof):

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Mr. Robison (With notice and proof):

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Messrs. Meeks et al (With notice and proof):

H. 741. To alter and extend the boundaries of the City of Mountain Brook.

By Messrs. Simon, Murphy and Tyson:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

By Mr. Stokes:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

By Messrs. Murphy, Simon and Tyson:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

By Mr. Goodwyn (With notice and proof):

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Messrs. Hawkins and Hanby (With notice and proof):

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

By Messrs. Nice et al:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

By Messrs. Meeks et al:

H. 882. To authorize the governing body of any and every municipi-

pality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

By Messrs. Meeks et al:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

By Messrs. Haltom and Broadfoot (With notice and proof):

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

By Messrs. Broadfoot and Haltom (With notice and proof):

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

By Mr. McNider (With notice and proof):

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

By Messrs. Bradford and McNider (With notice and proof):

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

By Messrs. Murphy and Simon (With notice and proof):

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

By Messrs. Murphy, Simon and Tyson (With notice and proof):

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

By Messrs. Simon, Murphy and Tyson (With notice and proof):

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

By Mr. Huddleston (With notice and proof):

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

By Mr. Fite (With notice and proof):

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

By Mr. Fite (With notice and proof):

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

By Mr. Fite (With notice and proof):

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

By Messrs. Hall, Goodwyn, Nolen and Dawkins:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

By Messrs. Pruitt and Harvey (With notice and proof):

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

By Mr. Dement (With notice and proof):

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

By Mr. Dement (With notice and proof):

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said

City certain territory not already included therein and located in Lime-stone County, Alabama.

By Mr. Dement (With notice and proof):

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Lime-stone County, Alabama.

By Mr. Dement (With notice and proof):

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Lime-stone County, Alabama.

By Mr. Ferrell (With notice and proof):

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of De-Kalb County, Alabama, and one member at large from said county and to provide their terms of office.

By Messrs. Callahan and deGraffenried:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

By Messrs. Meeks et al:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

By Messrs. Meeks et al:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

By Messrs. Lackey et al:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Lackey et al:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

By Messrs. Lackey et al:

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Nice et al:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any county in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

By Messrs. Lackey et al:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

By Messrs. Meeks et al:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

By Messrs. Meeks et al:

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall

become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

By Messrs. Perry et al:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Meeks et al:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

By Messrs. Perry et al:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Meeks et al:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

By Messrs. Meeks et al:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Murphy, Simon and Tyson (With notice and proof):

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the follow-

ing bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Brewer and Gilchrist (With amendment):

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lee (Lawrence) (With notice and proof):

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

By Messrs. Gist and Money (With notice and proof):

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

By Messrs. Gist and Money (With notice and proof):

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

By Mr. Cox (With notice and proof):

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Callahan, Speaks and Nice:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Adams and Vacca:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

By Messrs. Adams and Vacca:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

By Messrs. Adams and Vacca:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Messrs. Adams and Vacca:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a

favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bradford:

S. 361. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

By Messrs. Kaul et al:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Goodwyn, Simon and Hare.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Van Antwerp, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 788, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Lamberth, Flowers and Van Antwerp.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Adams:

H. J. R. 68. Whereas John Thomas Johnson died Thursday afternoon at his home in Reeltown, and

Whereas John Thomas Johnson was long an outstanding citizen of Tallapoosa County, and was the father of Representative J. T. Johnson, of Tallapoosa County; now therefore

Be it resolved by the House of Representatives, the Senate concurring: That the Legislature notes with deep sorrow the death of John Thomas Johnson, and extends sincere sympathy to Representative Johnson and his family for their great loss.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, H. J. R. 68, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Eddins offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. Whereas, the oil well drilled at Citronelle was recently brought in as the second gusher oil well in the State of Alabama, indicating that oil and gas resources may be more prevalent in this State than heretofore thought possible, and of a quality as good or better than the oil and gas produced in some of the oldest established oil fields in this country; and

Whereas, the promotion and development of the oil and gas industry has brought great wealth to the people of Texas, Oklahoma, and other states, and has enabled the state of Texas to finance the operation of its public schools, including institutions of higher learning, almost entirely with revenue derived from the production of oil and gas; and

Whereas, public health, welfare and educational services in this State are inadequately financed, not because of lack of effort on the part of the citizens of Alabama, but because of the limited amount of funds available; and

Whereas, increased production of oil and gas in this State would indirectly provide additional revenues with which to finance, improve, and extend health, welfare and educational services; and

Whereas, this State should take all actions necessary to encourage the development of oil fields and the production of oil and gas in order to promote the prosperity and well-being of the people of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That a legislative interim committee is hereby created to study the activities being carried on in the exploration for and production of oil and gas resources in this State to determine whether or not legislation is needed to encourage the exploration for oil and gas in order to secure the production of oil and gas to the fullest extent possible. The committee is authorized to employ sufficient technical personnel, such as oil geologists and oil engineers, as may be necessary to carry out the investigation, and to fix the compensation of those employed. The committee shall report to the Legislature at the next regular or special session, and at that time shall present legislation which, in its opinion, will best encourage the promotion and development of oil and gas resources.

2. The committee shall consist of three members of the Senate appointed by the President and three members of the House of Repre-

sentatives appointed by the Speaker of the House. The members of the committee shall elect from among their number a chairman, and the committee shall meet at the call of the chairman. Any vacancy on the committee from either House of the Legislature shall be filled by appointment by the Speaker of the House or the President of the Senate, as the case may be. For each day's attendance at a meeting of the committee, each member of the committee shall receive the same per diem and expenses as is provided for members of the Legislature. The per diem and expenses of the members of the committee and all other expenses incurred by the committee in the conduct of its investigation shall be paid from any funds appropriated for the use of the Legislature.

And on motion of Mr. Eddins, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO RECONSIDER

Mr. Calvin offered the following Motion in Writing:

"I do move that the Senate reconsider the vote by which H. B. 211 passed the Senate."

Which was adopted, and the Senate did reconsider the vote by which it passed the Bill:

H. B. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Mr. Calvin then moved that the Senate reconsider the vote by which it adopted the following amendment by Mr. Yarbrough (Randolph), to the Bill, H. B. 211, as amended:

Amendment to H. 211 by Mr. Yarbrough (Randolph):

Amend Section 19 of H. 211, as amended, by adding subsection J as follows:

"J. MINIMUM PROGRAM FUND. An amount totaling \$2,871,546 remaining in the State Treasury to the credit of the Alabama Special Educational Trust Fund after all appropriations have been paid in full on September 30, 1955, or as much thereof as is available, is hereby appropriated to the Minimum Program Fund, with the provision that one-half of said amount is hereby appropriated to the Minimum Program Fund for the fiscal year ending September 30, 1956, and the remaining one-half of said amount is hereby appropriated for the fiscal year ending September 30, 1957. The amount hereby appropriated is not to be transferred from the Alabama Special Educational Trust Fund to the Alabama Special Educational Trust Fund Surplus Account, and all laws and parts of laws that may be in conflict with the provisions of this Act are hereby expressly repealed to the extent of the conflict."

And the Senate did reconsider said vote.

On motion of Mr. Robison, the amendment by Mr. Yarbrough (Randolph) was then laid on the table.

Mr. Calvin then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 211

Amend Section 19 of the bill, as amended, by striking out Subsection J in its entirety and substituting therefor the following:

"J. MINIMUM PROGRAM FUND. Any surplus remaining in the State treasury to the credit of the Alabama Special Educational Trust Fund after the payment in full of all appropriations made payable from said fund during the fiscal year ending September 30, 1955, is hereby appropriated for the following uses and purposes:

An amount equal to eighty-eight percent thereof shall be paid into the Minimum Program Fund, of which one-half shall be made available for expenditure during the fiscal year ending September 30, 1956, and the remaining one-half shall be made available for expenditure during the fiscal year ending September 30, 1957. Twelve percent of such appropriation shall be prorated in such manner that the allocation and distribution thereof to the institutions of higher learning and trade schools shall be in the proportion that the appropriations from the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1956 to each such institution of higher learning and trade school, including appropriations to the several divisions thereof, if any, shall bear to the total sum appropriated from the Alabama Special Educational Trust Fund to all such institutions of higher learning and trade schools, including appropriations to the several divisions thereof, if any, during the fiscal year ending September 30, 1956. Such surplus shall not be transferred to the Alabama Special Educational Trust Fund Surplus Account, nor to the Alabama State Building Commission of the Building Commission Fund, the provisions of Act No. 813, S. 22, approved September 19, 1953, or of any other law to the contrary notwithstanding."

Also, strike out Section 23 of said bill, as amended, in its entirety, and substitute therefor the following:

Section 23. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also, add the following sentence at the end of Section 22 of the bill, as amended:

Act No. 813, S. 22, approved September 19, 1953, which is in conflict with Subsection J of Section 19 of this Act, is also expressly repealed.

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Lowndes)	Flowers
Allen	Cantrell	Dyar	Givhan
Boutwell	Coleman	Eddins	Goodwin
Bradford	Cooper	Engelhardt	Grisham

James	Metcalf	Robison	Van Antwerp
Jones	Moses	Shelton	Vann
Lamberth	Newton	Skidmore	Yarbrough (Autauga)
Leonard	Reeves	Smith	Yarbrough (Randolph)
Little	Roberts	Tate	

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And said Bill, as thus amended, was again read at length and passed.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Flowers	Little	Skidmore
Allen	Givhan	Metcalf	Smith
Boutwell	Goodwin	Moses	Tate
Bradford	Grisham	Newton	Van Antwerp
Calvin	James	Reeves	Vann
Cantrell	Jones	Roberts	Yarbrough (Autauga)
Cooper	Lamberth	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Leonard	Shelton	

—30

Nays: Messrs. Coleman, Eddins and Engelhardt.

—3

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hanby and Hawkins:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

Also:

By Messrs. Hawkins and Hanby:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

By Mr. Brown (Lamar):

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF LAMAR.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The deputy solicitor of Lamar County shall receive a salary of two thousand four hundred dollars (\$2,400) a year, payable in equal monthly installments out of the treasury of the county on warrants drawn by the judge of probate of Lamar County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 7-21 4tc

PROOF OF PUBLICATION**STATE OF ALABAMA,
LAMAR COUNTY.**

Before me the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 21 and 28, August 4 and 11, all in the year 1955.

JACK HANKINS,
Publisher.

Sworn to and subscribed before me this 11 day of August, 1955.

ALTON B. HOLLIS,
Notary Public.

Also:

By Mr. Brown (Lamar):

H. 976. To regulate the meetings of the county board of education of Lamar County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF LAMAR.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To regulate the meetings of the county board of education of Lamar County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Lamar County shall hold forty-eight (48) regular weekly meetings each year, at such times and places as the board may prescribe. The board may also hold special meetings on the call of the chairman or any two members of the board.

The members of the county board of education of Lamar County shall receive from the public school funds of the county seven dollars and fifty cents a day and their actual traveling and hotel expenses incurred in attending meetings of the board and transacting the business of the board. The members of the board shall not be allowed pay for more than 48 days in any one year, and their expenses shall be paid in like manner as provided for the compensation of teachers.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-21 4tc

PROOF OF PUBLICATION

STATE OF ALABAMA, LAMAR COUNTY.

Before me the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 21 and 28, August 4 and 11, all in the year 1955.

JACK HANKINS,
Publisher.

Sworn to and subscribed before me this 11 day of August, 1955.

ALTON B. HOLLIS,
Notary Public.

Also:

By Mr. Harrison:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

Also:

By Mr. Speaks:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA, COUNTY OF CHILTON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chilton County: To provide that the board of Revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue, court of county commissioners, or like governing body of Chilton County, or any other public body having general jurisdiction of the county road system, shall have the power and authority to use or to authorize the use of the machinery, equipment, or other property of the county to clear and grade building sites for any new industries proposing to locate within the county.

Section 2. Should any provision of this Act or the application thereof to any circumstance be held invalid, such validity shall extend only to such provision or application and shall not affect the validity of any other provision or the applicability to other circumstances.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

R. M. TUCKER

Sworn to and subscribed before me August 11, 1955.

W. L. SMITH,
Notary Public.

Also:

By Mr. Speaks:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to

provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA,
COUNTY OF CHILTON.**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there is hereby established in and for Chilton County, Alabama an Inferior Court of Law, both civil and criminal, and of Equity, which shall be called County Court of Chilton County, Alabama, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred, or which may hereafter be conferred, upon the several Circuit Courts of the State, provided that the said County Court shall not have jurisdiction to try a person charged with felonies and provided further that said court's civil jurisdiction on the law side of said court shall not exceed the sum of \$500.00, exclusive of the interest and cost; and said Court shall have concurrent jurisdiction with Justices of the Peace of Chilton County in all matters whatsoever; and shall also have and exercise such further jurisdiction, authority, functions and powers as are hereinafter conferred upon it by this Act.

Section 2. That Honorable J. B. Atkinson, who was appointed to the office of the Judge of the Chilton County Law and Equity Court and who is now serving as Judge of said Court shall hold office as Judge of County Court of Chilton County, Alabama until the second Tuesday after the first Monday in January, 1957 and until his successor shall be elected and qualified. A judge of said Court shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1956, and each 4 years thereafter, and the term of the judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of 4 years and until his successor shall be elected and qualified. The judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by judges of the

Circuit Courts of Alabama. The said judge shall be a qualified elector of Chilton County, Alabama, shall be learned in the law, and shall be a member of the Alabama Bar in good standing, and shall be not less than twenty-five years of age. The said judge shall devote his entire time to the duties of his office, and shall be barred from the practice of law during his term of office. Said judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the clerk of the Circuit Court of Chilton County, Alabama, shall be ex-officio clerk of the County Court of Chilton County, Alabama and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama, except as hereinafter provided, and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for \$100.00 or less only the fees and commissions allowed by law to Justices of the Peace shall be collected; and said clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. That the Register of the Circuit Court in Equity shall be ex-officio register of the County Court of Chilton County and shall have the powers and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the judge of said Court shall receive a salary of \$4,800 per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That Honorable Lawrence F. Gerald, County Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1954, shall be the Solicitor of the County Court of Chilton County, during the term of office for which he was elected at said election, and thereafter the duly elected County or Deputy Solicitor of Chilton County, Alabama, shall be the solicitor of the said County Court of Chilton County and all solicitor's fees taxed and collected in said court shall be paid into the county treasury of Chilton County for the benefit of the general fund of said county.

It shall be the duty of said Solicitor to prosecute all criminal causes pending in said Court.

Section 7. That the said County Court of Chilton County shall be held at the courthouse of Chilton County, Alabama, and that said court shall be open at all times for the trial of cases and transactions of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply and the Special Judge appointed shall receive for his service the same pay that Special Circuit Judges receive for their services and the same to be paid out of the general funds of Chilton County, Alabama on the Certificate of the Clerk or Register making the appointment. The judge of said Court shall be subject to the same penalties for failure to attend upon the court as are Circuit Judges of this State. The Judge of said court shall keep an

office in the court house of Chilton County, Alabama, or at such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, and it shall be the duty of the Board of Revenue and Control of Chilton County to provide such office and supply the same with all furnishings, fixtures, stationery, telephone and other supplies necessary to enable the judge of said court to efficiently conduct the affairs of his office.

Section 8. A session of said court for the trial of criminal cases shall be held on the first Monday of each month and at such other times as the Judge of said Court may order, and a session for the trial of civil cases shall be held on the second Monday of each month, and a session for the trial of equity cases shall be held on the third Monday of each month. Provided, however, that the court shall have the right and power to call extraordinary sessions of said court whenever in the judgment of the court the same is necessary.

Section 9. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgement to the Circuit Court of Chilton County, Alabama, by giving security for the costs, the same to be approved by the Clerk or Judge of said County Court of Chilton County or if the party desiring to appeal, wishes to supersede the judgment of said court, then he may give security for cost, and a supersedeas bond in double the amount of the judgment, to be approved by the judge or clerk of said court. All appeals from judgments in civil causes in said court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said Court shall be tried de novo in the Circuit Court in any case appealed from said court to the Circuit Court. The appellant, within ten days, after the perfection of his appeal and the appellee, within ten days after notice of appeal is served on him, may have the issues of fact tried by a jury in the Circuit by filing with the Clerk of the Circuit Court a written demand for a trial of said cause by a jury.

Section 10. In all criminal cases of conviction in said County Court of Chilton County the defendant shall have the right of appeal to the Circuit Court of Chilton County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be is such penalty as the Judge of the said County Court of Chilton County may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury; otherwise, said case shall be tried by the Court without a jury.

Section 11. That the Supreme Court and Court of Appeals of this state shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State, and the judge thereof, and appeals may be taken from the order and judgments of said court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws applicable to appeals from the Circuit Court in Equity, to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the County Court of Chilton County to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 12. That there shall not be any jury trials in the County Court of Chilton County in the trial of civil and criminal cases but the judge of said Court shall have the authority and power in all equity cases to draw and empanel petit juries for the trial of the issues of fact of all equity cases in which the parties are entitled by law to a trial by jury, as provided by Title 7, Section 322, 1940 Code of Alabama. In the trial of any such equity case by a jury, Sections 323, 324, 325 and 326, Title 7, 1940 Code of Alabama, shall govern the Court in the trial, summoning and paying of the jurors.

Section 13. All cases in equity, now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from the said Circuit Court to County Court of Chilton County.

Section 14. That the procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the County Court of Chilton County except as otherwise provided herein.

Section 15. The Sheriff of Chilton County shall, in person or by a deputy, or deputies appointed by him, said appointment to be approved by the judge of said court, be required to attend upon said court in preserving order, and execute all writs of process and perform such other duties, in all respects as in the Circuit Court of this State, and each deputy required, not exceeding three, for attendance upon said session of said court, shall receive the sum of \$3.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputies shall not receive pay except for the time that the court is actually in session and none of such compensation to the deputies shall be shared in by the Sheriff, and for the service by the Sheriff of the process of said Court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 16. That if for any reason forfeiture be taken on any bond on the criminal side of said Court, the court may order the alias capias returnable instant or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final.

Section 17. That the judge of the County Court of Chilton County shall adopt a seal for the law side of the docket of the County Court of Chilton County which shall be kept in the custody and control of the clerk of the court.

Section 18. That the judge of the County Court of Chilton County shall adopt a seal for the equity side of the docket of the County Court of Chilton County which shall be kept in the custody and control of the register of the court.

Section 19. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the defendant or service perfected on him, as required by law, the defendant shall appear and plead, answer or demur thereto within the time how, or which, hereafter may be, provided by law, in the Circuit Court; provided however, that in all causes

over which the Justice of the Peace Courts have, or hereafter may have, concurrent jurisdiction with the County Court of Chilton County, the defendant shall appear, and plead, answer or demur thereto within fifteen days from the time of service of process upon such defendant in said cause, Judgments by default or decree pro confesso may be rendered or set aside in the manner now, or which hereafter may be, provided by law.

Section 20. That said County Court of Chilton County shall have exclusive jurisdiction over children and the judge of said County Court of Chilton County shall be the judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the County Court of Chilton County of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383 both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

Section 21. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of said County Court of Chilton County shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full unlimited and exclusive jurisdiction upon the County Court of Chilton County of all domestic relations matters arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, as amended or as hereafter may be amended.

Section 22. Prosecutions for misdemeanors committed in Chilton County may be instituted in the said court by making an affidavit before the judge of said court or the clerk with the approval of the County Solicitor, the writ on said affidavit to be issued by the judge or clerk of said court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940.

All affidavits or warrants for criminal or quasi-criminal acts, of whatever kind issued by the Justices of Peace of Chilton County shall be returnable to this court.

Section 23. The Judge of said Court shall have power to issue search warrants, writs of habeas corpus, prohibition, Mandamus, certiorari, quo warrants, injunctions and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided, by law, except as otherwise provided in this Act, shall prevail in the County Court of Chilton County, and the Judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

The Judge of the County Court of Chilton County shall have the authority and power to appoint a competent shorthand reporter to attend the terms of the Court and report in shorthand all cases tried in said Court and said shorthand reporter shall be paid out of the Gen-

eral Fund of Chilton County, Alabama a salary of \$200 per month payable at the end of each month on a certificate and order of the Judge of said Court. The judge of said Court may remove the shorthand reporter, at his will, without assigning any cause for his action in doing so. The shorthand reporter when not actively engaged in the work of the court as reporter, shall serve as secretary to the judge of said Court, in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect from the litigants or their attorneys for whom he or she is making a transcript of the evidence, the sum of ten cents per one hundred words for said transcript and five cents per hundred words for each copy thereof, and when such transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said court shall be deposited in The Fine and Forfeiture Fund of Chilton County, Alabama.

Section 25. That claims accruing in the County Court of Chilton County will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 26. It shall be the duty of the clerk of said court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace or judge of an inferior court in said county, to said court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as cost in case of the defendant's conviction.

Section 27. Judgments or decrees rendered by the County Court of Chilton County shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said court as it is now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be provided by law.

Section 28. The venue of any case in the said County Court of Chilton County may be changed to other counties as it is now, or as it hereafter may be, provided by law for the several Circuit Courts of like jurisdiction.

Section 29. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 30. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the

Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

Section 31. That the Chilton County Law & Equity Court of Chilton County, Ala., is hereby abolished, and from and after the passage of this Act shall no longer exist, and no officers of this state shall collect any fees or salaries because of said court, or for service rendered in said court, and all cases pending in the Chilton County Law and Equity Court of Chilton County, Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the County Court of Chilton County, as though originally brought in said court, and shall be called for trial on the first Monday in the month, following the approval of this Act.

Section 32. That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said County Court of Chilton County, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said County Court of Chilton County, into the general funds of the county as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax fee of only \$1.00 shall be imposed and collected, provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the 1940 Code of Alabama and pleads guilty, no trial tax shall be imposed or collected.

Section 33. Witnesses summoned and attending Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court, of Chilton County, Alabama.

Section 34. That the ex-officio clerk of the County Court shall receive as ex-officio fees for ex-officio duties performed as clerk of County Court of Chilton County the same amount which he is paid in Circuit Court as provided by Title 11, Sec. 4 of 1940 Code of Alabama as amended. Such sum to be paid in 12 monthly installments out of General fund of Chilton County, Alabama.

Section 35. That the Clerk and Register, with the approval of the judge of said court, are hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the judge and signed by the clerk.

Section 36. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 37. That all laws in conflict with this Act are hereby repealed.

Section 38. That this Act shall become effective immediately upon its passage and approval by the Governor.

29-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF CHILTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

R. M. TUCKER

Sworn to and subscribed before me August 11, 1955.

W. L. SMITH,
Notary Public.

Also:

By Mr. Cox:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A BILL TO BE ENTITLED AN ACT

To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama, to equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. CREATION, JURISDICTION AND POWERS. That there be and hereby is established in and for the County of Marshall, a court of law which will be called the County Court of Marshall County, Alabama and which shall be a court of record, and which shall have and exercise the jurisdiction, authority, function and powers hereinafter conferred upon it by this Act.

Section 2. JUDGE, APPOINTMENT AND ELECTION, TERM, QUALIFICATIONS. That as soon after the approval of this Act by the Governor as practicable the Governor shall appoint a judge for said Court, whose qualifications shall be the same as now or that may be hereafter fixed for judges of the Circuit Courts in this State and whose term of office shall begin immediately after his appointment and qualification and who shall hold office until the next general election for any state officer and until his successor shall have been elected and qualified, and thereafter such judge shall be elected at the time and for the same term of office as circuit judges are elected in the state. The judge of said court so appointed or elected as herein provided shall before entering upon the duties of his office take the oath of office as now required by law by the judges of circuit courts. The judge of said court shall devote his full time to the duties of his office.

Section 3. VACANCIES, HOW FILLED; REMOVAL. Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the constitution of this state. Said judge may be removed from office in the manner now provided by law for the removal of circuit judges.

Section 4. SALARY OF JUDGE. That the judge of said court shall receive a salary of Five Hundred Dollars per month payable out of the general funds of the County at the end of each month, his signed receipt being required.

Section 5. CLERK OF COURT, BOND, DEPUTIES; POWERS, DUTIES. That the Clerk of the Circuit Court of Marshall County shall be ex-officio clerk of said court and shall have the powers and discharge the duties which shall devolve upon the clerks of the Circuit Courts and whose bond shall be not less than \$10,000, and he shall be subject to same pains and penalties with regard to the duties of the office, and except as otherwise provided herein shall be entitled to the same fees, as are now, or may hereafter be allowed to Circuit Clerks of Alabama, and the same shall be collected as such fees and costs are collected in the circuit courts; and the deputy clerks of the Circuit Court of Marshall County shall be ex-officio deputy clerks of the County Court of Marshall County, Alabama and exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court.

Section 6. DOCKETS OF COURT. The Clerk of said court must, on the fifth day preceding the holding of any regular term of court as fixed in this Act or as may be fixed by an order of the Court properly entered of record on its minutes, prepare a docket of all criminal and civil cases pending in said court at that time and which will be heard, called, or tried at such next regular term of said court and must mail to each attorney of record in any case then pending in said court a copy of said docket on at least five days preceding the holding of said term of said court, and he shall also mail to each member of the Bar of said county such docket at said time, and no case shall be called for trial or tried, over objection of any party to such case, unless this section of this Act is complied with.

Section 7. SUPPLIES. That the clerk, with the approval of the judge of said court, is hereby authorized to purchase all necessary furnishings, records, stationery, and supplies for the equipment and maintenance of said court, and the same shall be paid out of the general funds of the County upon warrants drawn by the judge and signed by the clerk.

Section 8. SOLICITOR OF COURT. That the Circuit Solicitor of the 27th Judicial Circuit of Alabama shall represent the State in all criminal cases in said court, and be ex-officio solicitor of said court and shall receive no compensation therefor.

Section 9. SOLICITOR'S FEES, PLEA OF GUILTY. That there shall be taxed and collected as cost in all criminal cases in said court a Solicitor's fee which shall be in the same amount as now collected in Circuit Courts of this State in like cases, for the same offense and when collected shall be paid by the Clerk into the general funds of the County, and there shall be taxed and collected as costs on all misdemeanor cases in said court a solicitor's fee which shall be in the same amount as is now taxed and collected for misdemeanors in county courts of this State in like cases for the same offense and when collected shall by the Clerk be paid into the general funds of the County and the provisions of Section 86 of Title 11 of the Code of 1940 as amended shall apply; provided, however, that no solicitor's fees shall be taxed or created in any case in this court where the defendant is charged with violating the rules of the road or legal and reasonable rules or regulations governing the use of motor vehicles upon the public highways in this state or with the violation of the Game & Fish Laws or rules and regulations of this state relating thereto, if the defendant pleads guilty in this court.

Section 10. SHERIFF: DUTIES, COMPENSATION. The Sheriff of Marshall County, Alabama shall, in person or by a deputy or deputies appointed by him, be required to attend upon the said court, and preserve order, and execute all writs or process, and perform such other duties, in all respects as in the Circuit Courts of this State, and except as otherwise provided herein shall receive the same fees, commissions and compensation as allowed for like or similar services performed by sheriffs in the Circuit Court.

Section 11. COURT REPORTER. That the judge of said court shall by order spread upon the minutes appoint a competent person as the official reporter for said court who may also be the official reporter for the Circuit Court, and such official reporter, when so appointed, may be removed by the judge of said court at his discretion and his qualifications, duties and powers shall be the same as are now provided by law for the reporters of the Circuit Courts of the state and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as are now provided for said Circuit Court reporters, but shall as a salary receive One Hundred Fifty Dollars per month payable out of the general funds of the County at the end of each month, his signed receipt being required. The services of said reporter when not actually working under the direction of the judge of said court shall be available to the Solicitor in the discharge of his duties in this court.

Section 12. STENOGRAPHER'S FEES. That in all cases in said court, a stenographer's fee of One Dollar and fifty cents shall be charged and collected and by the Clerk paid into the general funds of the County.

Section 13. SEAL OF COURT. That the court shall adopt a seal which shall be in the custody of the Clerk of said court.

Section 14. PLACE OF HOLDING COURT. That said court shall be held at the two court houses of Marshall County, Alabama, and shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the judge of said court the law applicable to the appointment and service of special judges in the circuit courts shall apply. The judges of said court shall be subject to the same penalties for failure to attend upon the court as Circuit Judges of this State. The judge of said court shall keep an office in the courthouse of Marshall County, at Guntersville, and it shall be the duty of the Court of County Commissioners of Marshall County to provide such an office, and supply the same with necessary furnishings, fixtures, stationery, etc.

Section 15. SESSIONS OF COURT. That a session of said court shall be held at the courthouse at Guntersville on the first Monday of each month of each year and may continue in session for one week or until the business of said court is disposed of and a regular session of said court will also be held on the second Monday of each month of each year at the court house at Albertville and may continue for one week or until the business of said court is disposed of. Special sessions must be called by the Judge of the court at any time the business of the court requires. There may be such temporary adjournments of said court as may be deemed expedient and proper by the Judge thereof and he may, by order fix additional times for the holding of said court. If said cases for violation of the rules of the road or laws regulating the use of motor vehicles upon the public highways of this State congest, or tend to congest, the docket of said court, it shall be the duty of the court to set a separate date for the trial of such cases not to exceed one day each week at the place of holding of said court, and to keep the docket from becoming congested.

Section 16. TERRITORIAL JURISDICTION, BRANCHES. That said court is divided into two territorial jurisdictions, one to be known as the Albertville Branch of said court and the other the Guntersville Branch of said court. The territorial jurisdiction of the Albertville Branch of said court, both civil and criminal, shall be the same, except as in this Act otherwise provided, as the jurisdiction now conferred by law on the Albertville Branch of the Circuit Court of Marshall County, Alabama. The territorial jurisdiction of the Guntersville Branch of said court, both civil and criminal, shall be the same, except as in this Act otherwise provided, as the jurisdiction now conferred by law on the Guntersville Branch of said Circuit Court.

Section 17. TRANSFER OF CAUSES. That should a suit or cause of action be brought in either branch of said court and it should develop either on plea in abatement, or motion to transfer that said cause of action was filed in the wrong branch of said court, then the court of its own motion may, or on the motion of either party shall transfer said suit or cause of action to that branch of the court having original jurisdiction thereof for trial as provided by this Act, but if no such plea in abatement or motion is made it is waived if not transferred.

Section 18. JUDGMENTS IN FORMER COUNTY COURT. That all judgments heretofore rendered in the County Court for Marshall County, Alabama, which is hereby abolished, shall remain valid judgments and valid liens where properly recorded as provided by law, and all records of said court, together with such judgments, are hereby transferred into and made a part of the records of the court herein created, and execution on any valid judgment not heretofore paid that was rendered by said abolished court may issue as otherwise provided for by law by the Clerk of this court returnable to this court.

Section 19. CIVIL JURISDICTION, LIMITS. Said court shall have original jurisdiction in civil cases in all matters where the amount involved does not exceed Two Thousand Five Hundred Dollars, and in all actions of ejectment, and original jurisdiction in actions of unlawful detainer and forcible entry and unlawful detainer, and trial of the rights to property, regardless of the amount involved, or the value of the property.

Section 20. JURISDICTION, ACTIONS FOR POSSESSION OF LAND. Exclusive jurisdiction of actions for the possession of lands under Chapter 3 of Title 31 of the Code of Alabama of 1940, forcible entry, unlawful detainer, and actions in the nature of unlawful detainer is hereby given to said court. All writs under Chapter 3 of Title 31 and affidavits made with reference thereto shall be made before and issued by the Clerk of said court and should the defendant make and file a counter-affidavit provided for by Section 30 of Title 31 of the Code of Alabama of 1940, then the procedure fixed for the trial of said case before a Justice of the Peace shall govern in this court and the same shall stand for trial on the third day after the filing of said affidavit with the Sheriff or Deputy serving the process, and the procedure set up in Chapter 3 of Title 31 of the Code of Alabama of 1940 shall govern in this court. Appeals taken from judgments rendered in actions for the possession of lands under Chapter 3 of Title 31 of the Code of Alabama of 1940 shall be to the Circuit Court, and shall be governed by the provisions of said chapter of said title.

Section 21. APPEALS FROM INFERIOR COURTS. That this court shall have exclusive jurisdiction of all cases appealed from Justice of the Peace courts, Mayor's Courts, Recorder's Courts, and all other inferior courts of Marshall County, and all original mesne processes, writs, notices, etc., shall be executed instanter, to be returnable immediately upon the execution thereof, by the officers receiving the same; and all cases so appealed shall stand for trial at any time after five (5) days notice of the suing out of such appeal to the adverse party, the notice to be given as now required by law.

Section 22. JURISDICTION, P L E A D I N G, PRACTICE. That Chapters 6, 10, 11, 12, 20, 27 and 35 of Title 7 of the Code of Alabama of 1940, as amended, and Chapter 6 of Title 15 of the Code of Alabama of 1940, as amended, insofar as they are applicable to the Circuit Courts of this State are also applicable and shall be deemed to be the law governing such matters in this court insofar as they do not conflict with the provisions of this Act and this court shall also have exclusive jurisdiction of violations under Chapter 7 of Title 13 of the Code of Alabama of 1940, as amended, and Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940, and jurisdiction of Chapter 35 of Title 7 of the Code of Alabama of 1940 when the execution, attachment or other like writ originally issued from this court, is levied on the property involved in such claim suit.

Section 23. JURISDICTION IN WILL CONTESTS. That in all cases in the Probate Court of Marshall County, Alabama wherein a will is sought to be probated, the filing of any contest without a demand for trial by jury shall automatically transfer the trial of such contest to the County Court of Marshall County, Alabama and it shall be the duty of the Judge of Probate to deliver, immediately, to the clerk of said court all papers filed in said contest, and the same shall stand for trial as any other civil case. That all notices shall be issued by the clerk of said court as are now required to be issued by the Judge of Probate in the contest of wills, provided, however, that either party desiring a jury trial may file a written demand therefor at any time within thirty (30) days from the date of the filing of said cause in the County Court

of Marshall County, Alabama or at the time said cause is first called for trial if called within said time in which event the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket. That the final judgment entry of said contest shall be certified by the Clerk of said court to the Judge of Probate and by him recorded in the Probate Court minutes and acted upon as though it had been rendered in the Probate Court.

Section 24. POWERS OF JUDGE: EXTRAORDINARY REMEDIES. The judge of said court shall have the power to issue writs of habeas corpus, prohibition, certiorari, quo warranto, and all other special and extraordinary writs, except such as are peculiar to a court of chancery; and the rules of practice and procedure in the Circuit Courts of Alabama as are now or which may hereafter be provided by law, except as otherwise provided in this Act, shall prevail in the County Court of Marshall County, Alabama and the judge thereof shall have the same power and authority including punishment for contempt as is or may hereafter be conferred upon judges of the Circuit Courts of Alabama unless otherwise provided in this Act.

Section 25. JURY TRIAL; EFFECT OF DEMAND FOR, IN CERTAIN CASES. All civil cases originating in said court shall be tried by the court without a jury, but the defendant or claimant in any case involving \$20.00 or more and not arising under Chapter 3 of Title 31 of Code of 1940 may within the time allowed for pleadings, file with the Clerk a written demand for trial by jury, and in criminal cases the defendant may endorse such demand upon his appearance bond at the time of making it or may file a written demand within fifteen days after his arrest, whereupon the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket.

Section 26. JURY TRIAL; EFFECT OF DEMAND FOR, IN OTHER CASES. All cases brought to said court by appeal or certiorari from inferior courts, shall be tried by the court without a jury, but a written demand for trial by jury may be filed in the cause by the party suing out the appeal or certiorari within fifteen days after suing out the same, or filed by the opposite party in all civil cases within fifteen days after he has been served with notice of appeal or certiorari; unless said case is sooner called for trial in which case the demand shall be made at the first call of said case, whereupon the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket.

Section 27. TRANSFER TO EQUITY COURT. That civil causes may be transferred from the County Court of Marshall County, Alabama to the Circuit Court in equity for the same reasons, in the same manner and under the same rules and regulations as is now provided for the transfer of causes from the law side of the Circuit Court to the equity side of said court.

Section 28. AFFIDAVITS AND WARRANTS. Prosecutions for misdemeanors committed in Marshall County may be instituted in this court by making an affidavit before the Solicitor of said court, or the Clerk thereof or any of his deputies or any clerk or recorder or acting recorder of any municipality; the writ on said affidavit to be issued by the officer taking such affidavit, and when the defendant is arrested on said affidavit, said case shall go on the docket for trial as herein provided.

Section 29. BASTARDY PROCEEDING. That said court shall have exclusive and original jurisdiction of all bastardy cases and bas-

tardy proceedings in said county which may be based upon affidavit as provided by law at the present time, such affidavit to be made before the Clerk or any other officer authorized herein to issue warrants returnable to said court. This court shall try the case and the findings shall become final unless the defendant appeals, whereupon the proceedings shall then be certified to the Circuit Court for trial de novo as is now provided in such cases from preliminary hearings in justice court. Unless the defendant appeals, this court shall fix the amount defendant is required to pay each year for ten years as now provided by law and require defendant to make the bond now required by law conditioned to make such payments or sentence the defendant for failure to make such bond, all as is now provided by law on a final conviction for bastardy in Circuit Court.

Section 30. JURISDICTION, MOTOR VEHICLE LAWS. That this court shall have original and exclusive jurisdiction of the prosecution of persons charged with driving motor vehicles upon the highways of this State while intoxicated or while an habitual user of narcotic drugs.

Section 31. PRELIMINARY PROCEEDINGS. The Judge of said court shall also make examination of all matters of preliminary proceedings, as provided in Article 3 of Chapter 6 of Title 15 of the Code of Alabama, of 1940, arising in said county. No other court or officer shall have authority to hold preliminary hearings in said county, and in such preliminary proceedings the Judge of the said court is required to have the testimony taken down in writing by the court reporter who shall then transcribe the testimony and certify to it as court reporters are required to do in Circuit Courts and have the compensation in such case for so taking and transcribing such testimony. When transcribing the original of such testimony shall be filed with the Clerk and become a part of the record in said cause and kept on file in the office of the Clerk. All warrants charging the commission of a felony shall be issued by the Clerk or other officer authorized to issue warrants for misdemeanors returnable to this court.

Section 32. SEARCH WARRANTS. Any officer authorized by this Act to issue warrants for misdemeanors shall have authority to take affidavits and issue search warrants.

Section 33. FORFEITURES, JUDGMENTS THEREON. That if for any reason, a forfeiture be taken on any bond on the criminal side of said court, the court may order an alias capias, and unless the party or parties, against whom the forfeiture is taken, shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final, for all or such portion of said bond as in its judgment should be rendered thereon.

Section 34. FINES AND FORFEITURES. That all fines and forfeitures accruing from the prosecution and trial of criminal cases in this court shall be paid into the fine and forfeiture fund of Marshall County.

Section 35. FEES, COSTS, COMMISSIONS. That fees, costs, commissions, mileage, per diem, and other compensation allowed to the officers and witnesses of this court, unless otherwise provided herein, shall be payable in the same manner, in the same amounts, and from the same funds as the same are now paid to such officer and witnesses for like services in the Circuit Courts.

Section 36. TRIAL TAX. That a fee of Three Dollars, in addition to the other cost, shall be taxed in each criminal or quasi criminal case

against the defendant on conviction or against the prosecutor, if he should be taxed with the cost as provided by law, as a trial tax, and if not presently paid may be collected by execution or by sentence to hard labor and when collected shall be paid into the general funds of the County. That a fee of Three Dollars, in addition to the other cost, shall be taxed in each civil case as a trial tax, the same to be collected as other costs taxed in said case and may be collected by execution and when collected shall be paid into the general funds of the County. All monies herein required to be paid into the general funds of the County shall be credited to the General Fund of said county.

Section 37. LIMITATION OF COST. That there shall be no trial tax collected and the cost of the Clerk and Sheriff shall not exceed the cost that a Justice of the Peace or arresting officer could tax and/or collect in Justice Court where the defendant in said case is charged with a misdemeanor committed within said county involving violation of the Game and Fish Laws and legal rules or regulations regulating the same, and of cases for a misdemeanor involving the violation of the laws or legal rules of the road, except driving while intoxicated, whether the rules of the road be a violation of the statutes or a legally adopted or promulgated rule and regulation governing the use of motor vehicles upon the public highways in this state, whether the defendant pleads guilty or not.

Section 38. APPELLATE PROCEDURE. That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said court, and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the judges thereof, and except as otherwise herein provided appeals may be taken from the orders and judgments of said court to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State.

Section 39. APPEALS, TRANSCRIPTS. That all laws and rules governing appeals, perfection of appeals, settling, signing and establishing bills of exceptions or transcripts of testimony in lieu of bills of exceptions on appeals to the Court of Appeals or the Supreme Court from the Circuit Courts in this State shall be applicable and apply to all appeals taken to the Court of Appeals or Supreme Court from this court.

Section 40. REPEAL OF 1953 ACT. That the County Court for Marshall County as created by Act approved June 3, 1955 shall from and after the passage and approval of this Act no longer exist and no officers of this State shall collect any fees or salary because of said court or for services rendered in or to said court. All cases pending in said County Court for Marshall County when this act becomes a law, shall immediately become pending upon the docket of this court as though originally brought in said court, and shall be called for trial at which time any defendant whose case has been pending in said County Court for Marshall County may demand a trial by jury as herein provided. Said Act of 1953 is hereby repealed.

Section 41. REPEALING ACT ABOLISHING CRIMINAL JURISDICTION OF JUSTICES OF PEACE. That Act No. 408 of the regular session of the Legislature of 1953, approved August 27, 1953, abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama, be and the same is hereby repealed.

Section 42. LAWS REPEALED. That all laws, both local and general, in conflict with this Act, are hereby repealed.

Section 43. UNCONSTITUTIONALITY. That if for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, then that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 44. EFFECTIVE DATE. That the provisions of this Act shall take effect from and after the approval thereof by the Governor or upon its otherwise becoming a law. 4-21-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob H. Riseling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

BOB H. RISELING,

Sworn to and subscribed before me this August 11, 1955.

M. F. LUSK,
Notary Public.

Also:

By Mr. Davis:

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA, COUNTY OF CULLMAN.

Notice Is Hereby Given That A Bill Substantially As Follows Will Be Introduced In The Legislature Of Alabama And Application For Its Passage And Enactment Will Be Made, To-Wit:

A BILL TO BE ENTITLED AN ACT

To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Cullman, Alabama be, and the same are hereby, extended so as to include the following described real estate:

Beginning at a point on the present corporate limits of the City of Cullman where the Drippings Springs Road intersects the West line of Section 9, Township 10, Range 3, West, thence North along the said Section line to the Southwest corner of the Northwest quarter of the

Northwest quarter, Section 9, Township 10, Range 3, West; thence East along the South line of the North-half of the Northwest quarter of said Section 9 to the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, West; thence North along the East line of the Northeast quarter of the Northwest quarter to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, thence West along the Section line to the Southwest corner of Section 4, Township 10, Range 3, West; thence North along the Section line to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 4, Township 10, Range 3, West; thence East along the Section line of the North-half of the North-half of Section 4, Township 10, Range 3, West to the center line of U. S. Highway 31; thence Southwardly along the center line of U. S. Highway 31 to a point 161 feet South of the point where South line of the Northwest quarter of the Southeast quarter of Section 4 intersects the center line of U. S. Highway 31; thence East and parallel with the South line of the Northwest quarter of the Southeast quarter of Section 4, Township 10, Range 3, West to the West boundary line of the L & N Railroad Right-of-Way; thence Southwardly along the West boundary line of the L & N Railroad Right-of-Way to the present corporate limits; thence along the present corporate limits of the City of Cullman to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

Section 3. This Act shall take effect upon approval of the Governor. July 21, 28, Aug. 4, 11-Chg.

**STATE OF ALABAMA,
CULLMAN COUNTY.**

Before me, Jack C. Riley, a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, Publisher of **The Cullman Tribune**, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: July 21, 28, August 4, 11, 1955.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 11th day of August 1955.

JACK C. RILEY,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 958, 959, 975, 976, 981, 956, 955, 979 and 957. To the Committee on Local Legislation.

(The above bill, H. B. 981, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Ferrell:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
DEKALB COUNTY.

Notice is hereby given that at the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama a County Commission, to be known as DeKalb County Commission; to provide for the election of the members of said Commission, to fix their time of office, to define and prescribe the powers and duties of such Commission and its members and to fix the compensation of the members thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the DeKalb County Board of Revenue as created by Local Act No. 255, Page 147, 1939, Local Acts of the Legislature of Alabama be and is hereby abolished.

SECTION 2. There is hereby created and established in and for the County of DeKalb in the State of Alabama, a County Commission to be known as DeKalb County Commission and to be composed of five members, all of whom shall be qualified electors of said County and of their respective districts, as hereinafter set forth.

SECTION 3. That for the purpose of this Act and the enforcement thereof, the said County of DeKalb is hereby divided into four subdivisions to be known as districts and numbered respectively from one to four both inclusive and the boundaries and numbers of each district shall be as formerly under the DeKalb County Board of Revenue of said County.

SECTION 4. S. H. Bruce is hereby designated, declared and appointed from District No. 1, and he shall be and become a member of the said County Commission from said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. J. L. Tumlin is hereby designated, de-

clared and appointed from District No. 2, and he shall be and become a member of the County Commission from the said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the first Monday in January, 1959, and until his successor is elected and qualified. Houston Tumlin is hereby designated, declared and appointed from District No. 3, and he shall be and become a member of the County Commission from said District and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. Abe Hendrix is hereby designated, declared and appointed from District No. 4, and he shall be and become a member of the County Commission from the said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. A. J. Lindsey is hereby designated, declared and appointed President of said County Commission, and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified.

SECTION 5. There shall be elected on the first Tuesday after the first Monday in November, 1958, and every fourth year thereafter, by the qualified voters of the entire county, the President of the County Commission and from each of said districts there shall be elected by the qualified voters of the entire County as above provided, on the first Tuesday after the first Monday in November, 1958, and every fourth year thereafter, members of the County Commission running from their respective districts and shall be bona fide residents and qualified electors in the districts for which they are seeking election, and upon their election, shall hold office for a period of four years and until their successors are elected and qualified.

SECTION 6. The members of the County Commission shall be nominated by the voters who are authorized by law to participate in any primary election, caucus or convention held or called by any political party for nomination of such officers as may be authorized by law, and the members of the County Commission from the several districts shall be nominated by the qualified electors from their respective districts and the laws of this State relative to primary elections shall apply.

SECTION 7. The President of the County Commission shall be a resident of said County continuously during his term of office and each member of said Commission shall be a resident of the district for which he is elected and shall reside in said district continuously during his term of office.

SECTION 8. That the compensation of the President of the County Commission shall be Four Thousand Eight Hundred Dollars (\$4,800.00) per annum and the associate members' compensation shall be the sum of Three Thousand Six Hundred Dollars (\$3,600.00) each, per annum and shall be payable in equal monthly installments out of the general fund of the County.

SECTION 9. The County Commission shall have the power and authority to direct and control the property of the County as it may deem expedient according to law; to levy general tax, and special taxes for particular county purposes; to examine, settle and allow accounts and claims chargeable against the County; to examine and audit the accounts of all officers having the care, management, collecting or disbursements of monies belonging to the County, or appropriated for its use and benefits to audit and allow all claims for charges and

expenses for all county officers; to have exclusive control of all county roads and sole right and authority to bind the County in any contract for the payment of money, and the members of the County Commission shall devote their entire time to the duties of the Commission during the terms for which they were elected.

SECTION 10. The DeKalb County Commission shall have all the jurisdiction and powers which are or may hereafter be by law vested in Courts of County Commissioners or Boards of Revenue of this state and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of Courts of County Commissioners or Boards of Revenue of this State.

SECTION 11. The President of the DeKalb County Commission shall be its presiding officer, and shall have the same power and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Commission, and shall sign all warrants drawn on the County Treasurer, and shall be the County Treasurer, and shall sign all orders for the payment or disbursement of money or funds of DeKalb County, and it shall be his duty to receive and prepare business and obtain information for the sessions of the said Commission and to see to the execution of all orders thereof, and to report to the Commission all infractions of the Revenue laws in DeKalb County of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of Probate Judges as to matters coming before the County Commission.

SECTION 12. The DeKalb County Commission shall have power and authority to employ a chief clerk and as many assistant clerks as are necessary for the convenient and orderly transaction of the business of the Commission, fix and determine the amount of compensation to be paid such clerk and assistants as in the discretion of the Commission shall be reasonable compensation for services required for such chief clerk and assistants.

SECTION 13. A majority of the DeKalb County Commission shall constitute a quorum for the transaction of business and no funds belonging to the County shall be drawn or paid out except as authorized by the Commission and a proper list and registry of all sums drawn or paid out, and of the nature of the claim and of the person in whose favor drawn or paid out shall be kept by either the president or clerk of said board and shall be open to the public.

SECTION 14. The DeKalb County Commission shall do and perform all acts and services and shall execute all the powers and functions which are now or hereafter by law required or authorized of Commissioners Courts or Boards of Revenue and shall be subject to the same privileges and penalties.

SECTION 15. The DeKalb County Commission may employ a competent Engineer and as many assistants as it may deem advisable or expedient for the efficient management of the roads and highways of DeKalb County and may fix the compensation of such employees and prescribe their duties and may discharge any employee without giving any reason therefor.

SECTION 16. The DeKalb County Commission shall hold regular meetings on each Monday in every week and may hold special meetings at any time on the call of the President of the Commission or of three members of the Commission entered in writing on the minutes of the Commission.

SECTION 17. Should any vacancy occur in the DeKalb County Commission such vacancy shall be filled by appointment of the Governor of the State of Alabama for the unexpired term.

SECTION 18. Should any section or part of this Act be declared unconstitutional the other parts of the Act shall, nevertheless remain in full force and effect.

SECTION 19. This act shall become law upon its passage and approved by the Governor or its otherwise being enacted into law and shall become effective October 1, 1955.

SECTION 20. That all laws and parts of laws, general or special in conflict with the provisions of this Act be and the same are hereby repealed.

STATE OF ALABAMA DEKALB COUNTY

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal", which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON.

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 894. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Gist:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may

arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County are hereby abolished, and there is created in lieu thereof the Jackson County Fine and Forfeiture Fund.

Section 2. The custodian of the Jackson County Court fine and forfeiture fund and the custodian of the general fine and forfeiture fund of Jackson County shall transfer all money on hand in such funds on the effective date of this Act to the Jackson County Fine and Forfeiture Fund. Thereafter, all claims which would be claims against or payable from the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County except for this Act shall

be claims against and shall be paid from the Jackson County Fine and Forfeiture Fund; and all funds which would be payable into the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County except for this Act shall be paid into the Jackson County Fine and Forfeiture Fund.

Section 3. All unpaid claims registered against the general fine and forfeiture fund of Jackson County on the effective date of this Act shall be barred and the payment thereof prohibited unless re-registered as claims against the Jackson County Fine and Forfeiture Fund within ninety days from such date. The circuit clerk may appoint a clerical assistant to re-register such claims. The clerical assistant so appointed shall receive a total of one hundred dollars (\$100.00) out of the general funds of the county for services rendered in re-registering such claims. No claim against the general fine and forfeiture fund of Jackson County which is unregistered on the effective day of this Act shall be registered against the Jackson County Fine and Forfeiture Fund or paid therefrom. All claims against the Jackson County Court fine and forfeiture fund are hereby declared to be claims against the Jackson County Fine and Forfeiture Fund without the necessity for re-registration.

Section 4. Such claims as are re-registered against the Jackson County Fine and Forfeiture Fund in accordance with the preceding section, and all claims existing against the Jackson County Court fine and forfeiture fund shall be paid in the order of their prior registration against the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County, as the case may be, upon presentation of the certificates therefor by the lawful holders. All claims existing against the Jackson County Court fine and forfeiture fund shall be paid at par. The money transferred from the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund shall be pro-rated to pay the claims re-registered against the general fine and forfeiture fund, or until at least twenty-five percent of the original amount of each such re-registered claim has been paid.

Section 5. The clerk of the circuit court of Jackson County shall be custodian of the Jackson County Fine and Forfeiture Fund and shall register all claims against the fund in a well-bound book provided for that purpose. All claims against the Jackson County Fine and Forfeiture Fund shall be paid upon certificate of the circuit clerk stating that the claims have been properly registered and are legal claims against such fund. The circuit clerk shall receive compensation in the amount of one hundred fifty dollars (\$150.00) per annum for services rendered as custodian of the Jackson County Fine and Forfeiture Fund, out of the general funds of the County.

Section 6. The claims of the sheriff and the circuit clerk of Jackson County, and the claims of witnesses for the State for fees in preliminary proceedings when the case is **not** prosessed or dismissed, or the grand jury fails to indict, or the defendant is acquitted in the circuit court, shall be allowable claims against the Jackson County Fine and Forfeiture Fund. The fees of the circuit clerk for issuing writs on affidavits in misdemeanor cases when the case is **not** prosessed, or the defendant is acquitted, or execution against the defendant is returned "No Property Found," shall be allowable claims against such fund.

Section 7. The claims of the sheriff and the circuit clerk, when registered, shall be on a par with witness claims, and all claims against the Jackson County Fine and Forfeiture Fund shall be paid in the order of their registration.

Section 8. At the beginning of each fiscal year, the circuit clerk shall transfer to the general fund of the county any surplus funds in the

Jackson County Fine and Forfeiture Fund over and above the amount of all claims registered against the Jackson County Fine and Forfeiture Fund.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 714A4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me August 5, 1955.

C. O. REED,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 933 To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all

registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Also:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Calvin, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 215, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 215

Amend Senate Bill 215 by changing the period at the end of the first sentence of Section 2, thereof to a comma and adding the following:

"except that such requisition for the payment of expenses shall not exceed the amount in said fund, and in no event shall said amount exceed One Thousand (\$1,000) in any one calendar year.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Reeves
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Little	Tate
Calvin	Flowers	Moses	Van Antwerp
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Cooper	James		

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MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration the bill:

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Senate refused to accede to the request of the House for the return thereto of the Bill, H. B. 102, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. deGraffenried and Callahan:

H. J. R. 70. WHEREAS an opportunity to receive vocational training would assist materially in the rehabilitation of the inmates of Draper Prison, would provide them with a means of earning a livelihood, and would promote their better adjustment to society upon their release from prison, all of which would redound not only to the welfare of the inmates but also to the welfare of the State of Alabama; now, therefore

BE IT RESOLVED by the House of Representatives, the Senate concurring: That the State Board of Education is requested to locate at Draper Prison one of the additional trade schools provided for by appropriations or acts of the 1955 Legislature, the curriculum, teachers, and other educational aspects of the school to be under the control and supervision of the State Board of Education, and the custodial needs of the school to be provided by the Board of Corrections.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 69. WHEREAS the Honorable Albert Rains is visiting in the City of Montgomery at the present time, now therefore,

BE IT RESOLVED by the Senate that the said Honorable Albert Rains be requested to address the Senate in the Senate Chamber at 1:50 P.M. today.

And on motion of Mr. Roberts, the Rules were suspended and the Resolution was adopted by the Senate.

RECESS

At 12:25 P.M., on motion of Mr. Lamberth, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
THIRTY-SECOND LEGISLATIVE DAY
FRIDAY, AUGUST 19, 1955

The Senate reassembled at 2 o'clock P.M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Gregory:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF BLOUNT.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Blount County is hereby abolished and there is created in lieu thereof the Board of Finance and Control, to be composed of a chairman and four associate members.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint a person who is a qualified elector and legal resident of Blount County to serve as chairman of the Board of Finance and Control until the first Monday after the second Tuesday in January, 1961, and until his successor is elected and qualified. The incumbent members of the Board of Revenue, other than the chairman, shall continue to serve as members of the Board of Finance and Control until their successors shall have been elected and qualified, as herein provided. A chairman of the Board shall be elected at the general election to be held in 1960, and every four years thereafter. The chairman of the board shall be elected from the county-at-large by the qualified electors of the entire county. A candidate for chairman must be a qualified elector and legal resident of Blount County. One associate member of the board shall be elected from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Blount County. A candidate for associate member of the board must be a qualified elector and legal resident of the district he seeks to represent and shall continue to reside therein during his continuance in office. Associate members of the board from Districts 1 and 3 shall be elected at the general election to be held in 1958, and every four years thereafter. Associate members of the board from Districts 2 and 4 shall be elected at the general election to be held in 1956, and every four years thereafter. The chairman and associate members of the board shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

Section 3. The chairman of the board shall receive a salary of four thousand two hundred dollars (\$4,200.00) per annum, payable in equal monthly installments, plus an allowance not to exceed fifty dollars (\$50.00) per month for expenses incurred in traveling on official county business outside the county. Each associate member of the board shall receive a salary of three thousand dollars (\$3,000.00) per annum, payable in equal monthly installments, plus mileage at the rate of seven cents (.07) per mile for each mile traveled on official county business, but the mileage provided herein shall not exceed fifty dollars (\$50.00) per month. A part of the salaries of the chairman and associate members may be paid out of the county gasoline tax revenues, provided that the part of such salaries so paid out of county gasoline tax revenues

shall bear the same proportion to the total salary paid to such member as the time devoted by such member to supervising, inspecting, accepting, building, or repairing county roads and bridges bears to the total time devoted by such member to all his duties as a member of the Board of Finance and Control. The board shall determine the proportion of such salaries to be paid out of county gasoline revenues.

Section 4. The Board of Finance and Control shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this State, or vested in the governing body of Blount County by local law; and the chairman and members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this State for the chairman and members, respectively, of courts of county commissioners, boards of revenue, or like county governing bodies, or for the chairman and members of the governing body of Blount County by local law.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

LOWELL GREGORY
Blount County Member
House of Representatives

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PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

RICE M. HOWARD,
Editor.

Sworn to and subscribed before me August 11, 1955.

MOLLY RYAN

Also:

By Mr. Cox:

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such for-

feiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A BILL TO BE ENTITLED AN ACT

Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace, or other officer, trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said county be and are hereby required to the Clerk of the Circuit Court of said County on forms to be furnished by said Clerk, on the first day of each month all fines and forfeitures assessed or collected in such courts showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the

amount thereof and showing the amount remitted, without any deduction therefrom for any reason whatsoever, and to require such officer to produce in the office of the Clerk of said court at such times of making such report and/or remittance their dockets to be audited by such Clerk.

Section 2. That all such officers named in Section 1 hereof be and they are hereby required to also deliver to said Clerk their said dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury for its inspection.

Section 3. That any officer violating any provisions of this Act shall be guilty of a misdemeanor.

Section 4. That all fines and forfeitures collected by said Clerk from such officers, or any of them, named in Section 1 of this Act shall be by said Clerk of said Court paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense with which the defendant was charged.

Section 5. That the Clerk of the Circuit Court of said County shall be entitled to and shall deduct therefrom five percent (5%) of the amount of all such fines and forfeitures so collected and remitted by him as a commission to the Clerk for collecting and remitting the same to the County Treasury, and in addition thereto he shall be entitled to deduct therefrom, for the compensation to said Clerk, the sum of \$1.00 per case out of the fine assessed or forfeiture collected for auditing the dockets of said officer making such remittance to said Clerk.

Section 6. That the Clerk of the Circuit Court of said County shall, immediately upon the filing of said report of such books with him by such officer named in Section 1 of this Act, audit said books of ~~said officer and shall note on each case that he has audited the records~~ in that case and finds the same to be correct or incorrect as the case may be and if incorrect he shall notify the proper authorities for their action thereon.

Section 7. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section 8. That this Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.
7-21-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob H. Riseling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, August 11, all in the year 1955.

BOB H. RISELING

Sworn to and subscribed before me this August 11, 1955.

M. F. LUSK,
Notary Public.

Also:

By Messrs. Lackey, Edwards (Jefferson), Perry, Kaul and ~~Weeks~~:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Also:

By Messrs. Lackey, Vacca, Perry, Edwards (Jefferson) and Nice:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Also:

By Messrs. Meeks, Nice, Edwards (Jefferson), Perry, Vacca, Lackey and Kaul:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

Also:

By Messrs. Meeks, Perry, Edwards (Jefferson), Lackey, Nice and Kaul:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Also:

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks, Lackey and Kaul:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Also:

By Messrs. Meeks, Perry, Edwards (Jefferson), Lackey, Nice and Vacca:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
JEFFERSON COUNTY.

NOTICE is hereby given that at the Present Session (1955 Regular Session) of the Legislature of Alabama, a bill substantially as follows

will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Inferior Court of Leeds be and the same is hereby abolished.

Section 2. That all cases and causes pending in the Inferior Court of Leeds, together with all dockets, documents, papers and judgments thereof shall be transferred to the Municipal Court of Birmingham, as if they had been instituted therein and all judgments heretofore rendered in the Inferior Court of Leeds shall be treated the same as if they had been rendered by the Municipal Court of Birmingham and the said Municipal Court of Birmingham and its officers shall have the same power and control over the same and shall issue, execution or other process thereon the same as if the judgment had been rendered in the Municipal Court of Birmingham.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 16-23-30; Aug. 6, 1955.

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA,
JEFFERSON COUNTY.**

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 16, 23, 30; Aug. 6, 1955 a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE
Publisher

Sworn and subscribed to on this the 6th day of August, 1955.

MYRTLE P. LITTLE,
Notary Public.

Also:

By Messrs. Meeks, Nice, Edwards (Jefferson), Vacca, Perry, and Lackey:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Govern-

ment, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

By Messrs. Meeks, Nice, Edwards (Jefferson), Vacca, Perry and Lackey:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

By Messrs. Perry, Lackey, Edwards (Jefferson), Vacca, and Nice:

H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA, JEFFERSON COUNTY.

Pursuant to constitutional requirement, notice is hereby given that a bill substantially as follows will be introduced at the present session (1955 regular session) of the Legislature of Alabama for the purpose of passing a local bill for Jefferson County, incorporating into the Town of Graysville, Alabama, the territory hereinafter particularly described. Said bill will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the municipality of the Town of Graysville in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Graysville the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits of said town, to-wit:

Begin at the S. W. corner of Section 28, Township 16 South Range 4 West, thence easterly along the south line of said section to the S. E. corner of the West $\frac{1}{2}$ of said section, thence northerly along the east line of said West $\frac{1}{2}$ of said section to the N. E. corner of said West $\frac{1}{2}$ of said section, thence continue northerly along the east line of the West $\frac{1}{2}$ of Section 21, Township 16 South Range 4 West to a point 600.0 feet south of the N. E. corner of the S. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of said Section 21, Township 16 Range 4 West, thence east 300.0 feet thence northerly and Parallel to said east line of the West $\frac{1}{2}$ of said Section 21, Township 16 Range 4 West 600.0 feet to the North line of the S. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ Section 21, Township 16 South Range 4 West, thence Westerly 300.00 feet to the N. W. corner of said $\frac{1}{4}$ — $\frac{1}{4}$ Section, thence northerly along the east line of said West $\frac{1}{2}$ of Section 21, Township 16 South Range 4 West to a point 100 feet south of the N. W. corner of the N. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ Section 21, Township 16 South Range 4 West, thence east 150.0 feet, thence northerly and parallel to the said east line of West $\frac{1}{2}$ of Section 21, Township 16 South Range 4 West 650.0 feet, thence west 150.0 feet to the said east line of West $\frac{1}{2}$ of Section 21, Township 16 South Range 4 West, thence northerly along the east line of said West $\frac{1}{2}$ of Section 21, Township 16 South Range 4 West to the N. E. corner of S. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ said Section 21, Township 16 South Range 4 West, thence westerly along the north line of said S. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ Section 21, Township 16 South Range 4 West to the N. W. corner of said S. E. $\frac{1}{4}$ —N. W. $\frac{1}{4}$ Section 21, Township 16 South Range 4 West, thence northerly along the east line of the N. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Section 21, Township 16 South Range 4 West to a Point 700.0 feet south of the N. E. corner of said N. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ Section 21, Township 16 South Range 4 West, thence east 200.0 feet, thence northerly and parallel to the east line of said N. W. $\frac{1}{4}$ —N. W. $\frac{1}{4}$ of Section 21 Township 16 Range 4 West 700.0 feet to the north line of the N. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of said Section 21, Township 16 South Range 4 West, thence westerly along the north line of said N. E. $\frac{1}{4}$ —N. W. $\frac{1}{4}$ of Section 21, Township 16 South Range 4 West 200.0 feet to the N. E. corner of the N. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Section 21, Township 16 South Range 4 West, thence northerly to the N. E. corner of S. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ Section 16, Township 16 South Range 4 West, thence westerly to the N. W. corner of said S. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ Section 16 Township 16 South Range 4 West, thence northerly along the east line of section 17, Township 16 South Range 4 West to the N. E. Corner of the S. E. $\frac{1}{4}$ of Said Section 17 Township 16 South Range 4 West, thence Westerly to the N. W. Corner of the said S. E. $\frac{1}{4}$ of Section 17, Township 16 South Range 4 West, thence southerly to the S. W. corner of said S. E. $\frac{1}{4}$ of Section 17, Township 16 South Range 4 West, thence continue south along the west line of the NE $\frac{1}{4}$ of Section 20 Township 19 South Range

4 West to the SW corner thereof, thence east along the south line of the NE $\frac{1}{4}$ of Section 20 to the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20, thence north along the west line of said SE of NE to NW corner thereof, thence east along the north line of SE of NE for a distance of 950 feet, thence south and parallel to west line of SE of NE to a point 800 feet north of the south line of said SE of NE, thence west and parallel to north line of SE of NE for a distance of 400 feet, thence south and parallel to west line of SE of NE for distance of 800 feet to the south line of SE of NE which point is 550 feet east of the SW corner of SE of NE, thence east long the north line of NE of SE of Section 20 to the NE corner of SE $\frac{1}{4}$ of Section 20, thence south along the east line of the SE $\frac{1}{4}$ to the SE corner of section 20 which point is also the NE corner of Section 29 Township 16 South Range 4 West, thence continue south along the east line of Section 29 to the SE corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29, thence west along south line of SE of NE to SW corner of SE of NE, thence south along the west line of the East $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 29 to the SW corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, thence east along south line of SE of SE to the E corner of Section 29 and the Point of beginning.

Also begin at the SE corner of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 29 Township 16 South Range 4 West, thence north along the east line of SW of NE to the NE corner thereof, thence west along north line of SW of NE to northwest corner thereof, thence north along the east line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ to NE corner thereof, thence west along north line of NE of NW to NW corner thereof, thence south along west line of the East $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 29 to the SW corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, thence east long south line of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and south line of SW of NE $\frac{1}{4}$ to SE corner of SW $\frac{1}{4}$ of NE and point of beginning.

All of the above described lands being a part of Sections 16, 17, 20, 21, 28 and 29, Township 16 South Range 4 West Jefferson County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—June 18, 25; July 2, 9, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 18, 25; July 2, 9, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 9th day of July, 1955.

MYRTLE P. LITTLE,
Notary Public.

Also:

By Messrs. Hain, Hardy, Molette, and Albea:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 954, 980, 964, 962, 965, 973, 971, 967, 966, 974 and 970. To the Committee on Local Legislation.

H. B. 626. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks, Lackey, and Kaul:

H. 968. To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

AN ACT TO ALTER, RE-ARRANGE, AND INCREASE THE BOUNDARIES OF THE CITY OF FAIRFIELD, JEFFERSON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Fairfield in the County of Jefferson, State of Alabama, shall be altered and rearranged and increased so as to include therein, in addition to the lands now included, the following described property, to-wit:

The point of beginning of the property to be added to the City of Fairfield, Jefferson County, Alabama, beginning at the Northeast corner of the Southwest quarter of Northeast quarter of Section 13, Township 18 South, Range 4 West; thence West along the North boundary of said Southwest quarter of Northeast quarter to the point of intersection of said North boundary with the West boundary of the old right-of-way of Birmingham Electric Co.'s North Bessemer Carline, which formerly ran from the City of Birmingham, Alabama, to the City of Bessemer, Ala-

bama; thence in a southerly direction along the said West boundary of the said old right-of-way of Birmingham Electric Co.'s North Bessemer Carline to the intersection of said West boundary of the old right-of-way of Birmingham Electric Co.'s North Bessemer Carline with the South boundary line of the Southwest quarter of the Southwest quarter of Section 13, Township 18 South, Range 4 West; thence East along the South boundary line of the Southwest quarter of the Southwest quarter of said section and along the South boundary line of the Southeast quarter of the Southwest quarter of said section to the Southwest corner of the Southeast quarter of Southwest quarter of said section; thence North along the East boundary of the Southeast quarter of the Southwest quarter of said section to the Northeast corner of Southeast quarter of Southwest quarter of said section; thence East along the South boundary of the Northwest quarter of the Southeast quarter of Section 13, to the Southeast corner of the said Northwest quarter of Southeast quarter of said section; thence North along the East boundary of said Northwest quarter of Southeast quarter of said section to the Northeast corner of said Northwest quarter of Southeast quarter of said section; thence East along the South boundary line of the Southeast quarter of Northeast quarter of said Section 13, to the point of intersection of said South boundary and the Southwest line of the Buck Property as described in the deed recorded in Deed Book 560, Page 361, in the Bessemer Office of the Judge of Probate of Jefferson County, Alabama; thence run in a Northwesterly direction along said Southwest line of said Buck Property and the projection of said Southwest line to the intersection of said projection and the East boundary line of the Southwest quarter of the Northeast quarter of said Section 13, thence North along said East boundary to the point of beginning, and to include all property in the areas inside of this new boundary line.

Such boundaries of said City other than changed by including the above described property shall remain as at present and the said territory included in said City shall remain as at present, except that in addition thereto, shall be included the above described property.

Section 2. That this Act shall become and be effective upon and after the date of its passage.
The Bessemer Advertiser,

March 18-25, April 1-8, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 18, 25 April 1, 8, 1955 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two

(52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 10th day of August, 1955.

W. E. MILLER,
Notary Public.

Also:

By Mr. Fite:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 968 and 977. To the Committee on Local Legislation.

(The above bill, H. B. 977, was read at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Meeks, Kaul, Nice, Vacca, Edwards (Jefferson), Perry, and Lackey:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 963. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Skidmore, further consideration of the Bill, H. B. 710, was indefinitely postponed.

BILLS ON THIRD READING

The Bill:

S. 110. Regulating the procedure of the state purchasing agent and others in the purchase of personal property and contractual services for the use of any state department, institution, agency, or political subdivision making such purchases through the division of purchases and stores; creating a committee on standard specifications; and prescribing penalties.

And amendment reported by the Standing Committee on Finance and Taxation, was taken up.

Mr. Metcalf moved that further consideration of the Bill and pending Committee amendment be indefinitely postponed.

Mr. Calvin moved that the motion to indefinitely postpone be laid on the table, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:
Boutwell
Bradford
Calvin
Coleman

Davis (Lowndes)
Eddins
Engelhardt
Givhan

James
Little
Reeves
Robison

Shelton
Smith
Vann
Yarbrough (Autauga)

Nays:

Messrs.:	Flowers	Leonard	Roberts
Allen	Goodwin	Metcalf	Skidmore
Cantrell	Grisham	Moses	Van Antwerp
Cooper	Jones	Newton	Yarbrough (Randolph)
Dyar	Lamberth		

—17

The question recurred on the motion of Mr. Metcalf, which was adopted, and further consideration of said Bill and pending amendment was indefinitely postponed by the Senate.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Flowers	Leonard	Roberts
Allen	Goodwin	Metcalf	Skidmore
Cantrell	Grisham	Moses	Van Antwerp
Cooper	Jones	Newton	Yarbrough (Randolph)
Dyar	Lamberth		

—17

Nays:

Messrs.:	Davis (Lowndes)	James	Shelton
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Reeves	Vann
Calvin	Givhan	Robison	Yarbrough (Autauga)
Coleman			

—16

RESOLUTIONS

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 70. BE IT RESOLVED by the Senate that the following shall be the special, paramount and continuing order of business today on the call of the calendar, superseding all and any prior special, paramount and continuing orders of business.

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And on motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Allen	Dyar	Jones	Skidmore
Boutwell	Eddins	Lamberth	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	

—30

The Bill:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Allen	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Shelton	

—30

The Bill:

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James	Robison	

—34

The Bill:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James	Robison	

—34

The Bill:

S. 218. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 218

Strike out the phrase "other than national banks a license for the privilege of" which appears in the last sentence of the bill, and insert the following in lieu thereof:

"other than natural banks and non-profit credit unions a license for the privilege of."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

—33

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Cooper	James	Robison
Allen	Davis (Lowndes)	Jones	Skidmore
Boutwell	Davis (Pickens)	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Coleman	Grisham	Newton	Yarbrough (Randolph)

—27

Nays: Flowers and Yarbrough (Autauga)

—2

RESOLUTIONS

The Standing Committee on Rules reported the following Senate Joint Resolution, to-wit:

S. J. R. 71. RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 23, 1955.

And said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The bill:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in

such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Was taken up.

Mr. Cooper offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 241

Amend Section 2 of S. B. 241 to read as follows:

"Section 2. Construction of Public Improvements and Assessments in City and in Police Jurisdiction. Each city in this state having a population of 6,000 or more inhabitants, according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, shall have the same powers with respect to the construction of public improvements in the police jurisdiction of such city that it may have under any law now existing or hereafter enacted with respect to the construction of public improvements within the corporate limits of such city. Each such city shall have the same powers with respect to the assessment of the cost of public improvements, whether constructed in the city or in such police jurisdiction, against the property specially benefited by such improvements, whether such property is located in such city or in such police jurisdiction, that such city may have under any law now existing or hereafter enacted with respect to assessment of the cost of public improvements constructed within the city against property specially benefited by such improvements and located within the corporate limits of the city. All such laws relating to the making of public improvements within the corporate limits of such city and to the making of public improvement assessments against property located within such corporate limits, and the creation and enforcement of liens securing such assessments, shall apply to any public improvements constructed within the police jurisdiction of such city, to any public improvement assessments made pursuant to the provisions of this act, and to the liens securing such assessments. But no public improvement shall be made under the authority of this Act unless with the written consent of the owner or owners of not less than sixty percent of the frontage of the property to be affected; provided, that in the case of street improvements outside the corporate limits but inside the police jurisdiction of a municipality, consent of the governing body of the county in which said improvements are to be constructed must first be obtained and evidenced by resolution duly entered on the minutes of such county governing body."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cantrell	Engelhardt	Jones
Allen	Coleman	Flowers	Lamberth
Boutwell	Cooper	Givhan	Leonard
Bradford	Davis (Pickens)	Grisham	Little
Calvin	Eddins	James	Newton

Reeves	Shelton	Van Antwerp	Yarbrough (Autauga)
Roberts	Skidmore	Vann	Yarbrough (Randolph)
Robison	Tate		

—28

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Engelhardt	Leonard	Skidmore
Allen	Flowers	Little	Smith
Boutwell	Givhan	Newton	Tate
Bradford	Grisham	Reeves	Van Antwerp
Cantrell	James	Roberts	Vann
Cooper	Jones	Robison	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Shelton	Yarbrough (Randolph)
Eddins			

—28

Nay: Mr. Coleman

—1

The bill:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Grisham	Newton	Vann
Cantrell	James	Roberts	Yarbrough (Autauga)
Coleman	Jones	Robison	Yarbrough (Randolph)
Cooper	Lamberth		

—29

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956 and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Ala-

bama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission and for the Teachers' Retirement System.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Dawkins, Ward and Martin.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 211, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Lamberth, Boutwell and Van Antwerp.

BILLS ON THIRD READING RESUMED

The bill:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 32; Nay 1.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)			

—32

Nay: Mr. Coleman.

—1

The bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power,

authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

Was taken up.

Mr. Metcalf offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 41

A BILL
TO BE ENTITLED
AN ACT

Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; transferring to the Board the powers and duties of the Commissioner of Agriculture and Industries with respect to industrial development, as prescribed in Section 20, Title 2, Code of Alabama (1940); and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Planning Board created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163), as now constituted, is abolished, and there is created and established the State Planning and Industrial Development Board in lieu thereof. The State Planning and Industrial Development Board shall consist of one member appointed by the Governor for each congressional district in the State; and the Governor, as chairman of the Board, the Commissioner of Agriculture and Industries, the Commissioner of Revenue, the State Highway Director, and the Director of State Docks, as members by virtue of their offices. In order to assist the Governor in making the appointments of members from the congressional districts, the members of the House of Representatives and of the State Senate of Alabama elected from the counties composing each congressional district in the State shall submit the names of seven persons who reside within the district to the Governor. In making such appointments, however, the Governor shall not be limited to the lists of nominees submitted to him by the members of the Legislature. When appointing members of the Board, the Governor shall select citizens who are outstanding in the fields of manufacture and processing, business and commercial enterprise, engineering and industrial development, natural resources, electric and gas utilities, industrial real estate and industrial property management, banking and finance, labor relations, and mass communications.

Before entering upon the discharge of their duties, the appointive members of the State Planning and Industrial Development Board shall take the oath of office prescribed for other state officers. The appointive members of the Board shall hold office only during the tenure of the Governor making the appointment, and until their successors are appointed and qualified. The Governor may remove any appointive member of the Board who fails to attend its meetings regularly or to per-

form properly his duties as a member of the Board, by notifying the member in writing of his removal. The appointive members of the Board shall be paid ten dollars (\$10) per day for each day they are engaged in the performance of their duties, and each such member shall be paid the actual and necessary expenses incurred in the performance of his duties as a member of the Board when approved by the chairman; provided, however, that except upon the call of the Governor, members of the Board shall not be in session more than fifty days during any calendar year. Ex officio members of the Board shall receive no additional compensation for their services as members of the Board. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings, and upon request, furnish a copy thereof to each member of the Board. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 2. The Governor shall appoint a member to serve as vice-chairman of the Board. The Governor shall appoint a director, who shall be qualified by training and experience for the duties required of him. His term of office shall be at the pleasure of the Governor, and his compensation shall be fixed by the Board in an amount not to exceed ten thousand dollars (\$10,000) per annum. The director shall devote his entire time to his duties as director, and shall not, in a private capacity, perform any work or duties for, or accept any gifts or compensation from any county, city, or other governmental unit, or from any person, firm, or corporation, for services rendered while he is serving as director of the Board. ~~Neither the Board nor the director shall employ any member of the Board in any capacity.~~ The director shall serve as secretary of the Board and shall be custodian of its books, records, and papers, which he shall keep at the office of the Board, and he shall perform any and all functions and duties, and exercise any and all powers and authorities, that may be delegated to him by the Board. The director shall establish a division of local planning and such other divisions or units as may be necessary or convenient to the efficient and expeditious performance of the functions and duties of the Board. He may assign and re-assign functions and duties. All functions and duties of the Board shall be exercised by the director acting by and through such administrative divisions or units as he may determine, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the Board, and the orders, rules, and regulations of the Board, subject, however, to the jurisdiction and direction of the Board. The appointment of chiefs of divisions and all other employees and personnel of the Board shall be made by the director subject to the provisions of the Merit System Act. The Board shall be provided with the necessary office space in the city of Montgomery or such other place as its needs may require.

Section 3. (a) There are hereby vested in the State Planning and Industrial Development Board all the functions, powers, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the State Planning Board and of the director thereof; and the functions of the State Planning Board and of the director thereof shall be exercised hereafter by the State Planning and Industrial Development Board and the director provided for in this Act.

(b) The duties in regard to the industrial development of this State now vested in the office of Commissioner of Agriculture and Industries

by Section 20, Title 2, Code of Alabama (1940), are hereby transferred to the State Planning and Industrial Development Board, so that authority for the conduct of a state program designed to encourage and promote the industrial development of this State is vested exclusively in the Board. Henceforth, it shall be the duty of the Board, in lieu of the Department of Agriculture and Industries: (1) To investigate and ascertain the industrial possibilities of the State and to seek to secure the development of the same. (2) To collect statistics in regard to industrial development in the State. (3) To make investigations as to any matter relative to industrial development and possibilities. (4) To cooperate in the fostering and development of the industrial interests of the State. (5) To cooperate especially in the promotion, establishment, and location of industries in the smaller municipalities and rural communities of the State which use as a raw material farm products of any character. (6) To cooperate with the state chamber of commerce, local chambers of commerce, and all local industrial boards to promote the purposes of this Act.

(c) The authority of the State Bureau of Publicity and Information created by Act No. 712, Acts of Alabama, Regular Session, 1951, page 1250, to plan and conduct all state programs of information and publicity designed to attract tourists to the State of Alabama is hereby confirmed and continued. It is provided, however, that the director of the State Bureau of Publicity and Information shall cooperate to the fullest possible extent with the State Planning and Industrial Development Board toward the end that an integrated program of economic expansion and promotion may be pursued by the public agencies of this State.

(d) It is the purpose of this Act to impose responsibility for the administration of a comprehensive program of State planning and industrial development upon the State Planning and Industrial Development Board; and, to that end, the State Planning and Industrial Development Board, in addition to the foregoing powers, shall have the following authority:

(1) To aid, encourage, protect and promote existing industries and commercial enterprises of the State by any means deemed appropriate by the board.

(2) To give technical research and advisory aids to existing industry and commerce in the State.

(3) To advertise nationally the State industrial and commercial advantages.

(4) To advocate advantages of location within the State to industrial and commercial prospects through personal contacts by travelling representatives, by furnishing specially prepared studies, by correspondence, printed material and other appropriate means.

(5) To maintain a staff of experienced personnel capable of providing prompt informed cooperation to industry and commercial enterprise.

(6) To provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas and electric power, taxes, wages and salaries and other basic locational data.

(7) To conduct industrial and commercial prospects on field inspections of potential plant or commercial locations.

(8) To assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs.

(9) To counsel on new or additional industrial plant or commercial building construction.

(10) To co-ordinate and present effectively the interest, resources and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects.

(11) To bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs both within and without the State and to foster increase of employment opportunities within the State.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—33

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Robison	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Hawkins, Edwards (Escambia), Money, Fite, Brewer, Simon, Murphy and Tyson:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 206. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 71. Relative to the adjournment of the two Houses to meet again on Tuesday, August 23rd, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses, on the Senate amendment to the bill, H. 788. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO H. B. 788

We, your Committee of Conference appointed to reconcile the disagreement between the two Houses concerning H. B. 788, beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill, and that the attached substitute be adopted.

O. T. GOODWYN
N. S. HARE
OTTO E. SIMON
Conferees on the part of the House
VAN ANTWERP
RICHMOND M. FLOWER
BROUGHTON LAMBERTH
Conferees on the part of the Senate

SUBSTITUTE FOR H. B. 788

A BILL TO BE ENTITLED AN ACT

To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. DEFINITIONS.

(1) Gross Income. The term "gross income" as used herein:

(1) Includes gains, profits and income derived from salaries, wages or compensation for personal services of whatever kind, or in whatever form paid, including the salaries, income, fees and other compensation of state, county and municipal officers and employees, or from professions, vocations, trades, business, commerce or sales, or dealings in property whether real or personal, growing out of ownership or use of or interest in such property; also from interest, royalties, rents, dividends, securities or transactions of any business carried on for gain or profit and the income derived from any source whatever, including any income not exempted under this Act; including income of officers or agents of the United States, etc., received from the United States, or from its agencies and instrumentalities. The salaries, fees, commissions, or other income of officers or agents of the United States or its agencies and instrumentalities or its contractees, received from the United States or from its agencies and instrumentalities, shall be subject to this tax as other income is taxed, but without discrimination, and only to the same extent, and in the same manner other income is herein taxed, insofar as the state of Alabama may be constitutionally or legally authorized to tax such income. The income of national banks shall be subject to the tax only to the extent permitted by federal law, and the income of state chartered banks, federal and state chartered savings and loan associations, and production credit associations shall be subject to the tax to the same extent as national banks, without discrimination. For the purposes of this Act, in computing gain or loss on the sale or other disposition of property, the basis shall be the same as provided for in Title 51, Section 378, Subsection (9), Code of Alabama 1940, except the date of January 1, 1955 shall be substituted for the date used in Section 378, Subsection (9) of January 1, 1933. Losses shall be allowed only to offset gains in the taxable year. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer; but

(2) does not include the following items which shall be exempt from income tax under this Act;

(a) amounts received under life insurance policies and contracts paid by reason of the death of the insured,

(b) amounts received (other than amounts paid by reason of the death of the insured) under life insurance endowment or annuity contracts, either during the term or at maturity or upon surrender of contracts, equal to the total amount of premiums paid thereon,

(c) the value of property acquired by gift, bequest, demise or descent, (but the income from such property shall be included in the gross income),

(d) any amount received through accident or health insurance, or under any workman's compensation act as compensation for personal injuries or sickness, plus the amount of any damages received, whether by suit or agreement on account of such injuries or sickness, or through the war risk insurance act, or any law for the benefit or relief of injured or disabled members of the "military or navel forces of the United States."

(3) The term "gross income" shall mean and include all of such income arising from sources within and without the state whether paid

to residents or non-residents, including interest on bonds, notes or other interest-bearing obligations of residents, corporate or otherwise and all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits in the manufacture and disposition of goods within or without the State of Alabama. It shall mean and include interest, dividends, or other forms of income from and gains of profits realized upon the sale, exchange or other disposition of all forms of intangible personal property owned by or held anywhere in or without the State of Alabama for the account of any resident or domestic corporation.

(2) **Adjusted Gross Income.** For the purposes of this Act, the term "adjusted gross income" means gross income as defined in Section 1 of this Act minus the following deductions:

(1) All ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals and other payments required to be made as a condition of the continued use or possession for the purpose of trade or business of property to which the taxpayer has not taken, or is not taking title or in which he has no equity.

(2) Interest paid or accrued, within the taxable year, as an ordinary and necessary expense in production of income.

(3) Taxes paid or accrued, within the taxable year, as an ordinary and necessary expense in the production of income. Ordinary and necessary expense shall not include any tax levied on or measured by income of any individual or corporation.

(4) Losses from debts ascertained to be worthless and charged off during the taxable year of such ascertainment, if sustained in the conduct of the regular trade or business of the taxpayer during the period covered by this Act if the amount of the same has been included in the gross income of the said trade or business.

(5) A reasonable allowance for the exhaustion, wear and tear of property from which any income is derived including a reasonable allowance for obsolescence. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar condition in each case based upon the cost, including the cost of development not otherwise deducted; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the department of revenue. In case of leasehold interests, the deduction allowed by this section shall be equitably proportioned between the lessor and the lessee.

(a) Adjusted gross income of federal and state savings and loan associations shall not include dividends paid or accrued, during the tax year, to members of such federal and state savings and loan associations.

(6) The amounts received by a corporation as dividends from a corporation, or any subsidiary corporation of which the parent corporation owns as much as fifty percent of the capital stock, which is taxable under this Act upon the adjusted gross income of the parent corporation or the subsidiary.

(3) (a) **Life Insurance Companies.** The term "life insurance company" as used in this Act shall have the same meaning as in Section 801 of the United States Internal Revenue Code of 1954.

(b) Other Insurance Companies. The term "other insurance company" as used in this Act shall mean an insurance company as defined in Act No. 77 of the Second Special Session of the Alabama Legislature of 1955 except companies defined in subsection (3) (a) of this Section 1.

(4) (a) Adjusted Gross Income of Life Insurance Companies. The words "adjusted gross income" with respect to a "life insurance company" shall mean its gross investment income less the ordinary and necessary expenses paid or incurred in acquiring such income and less the interest required to maintain its reserves on outstanding policies and supplementary contracts on the basis shown in the annual statement filed by the life insurance company with the Superintendent of Insurance of the State of Alabama.

(b) Adjusted Gross Income of Mutual and Other Insurance Companies. The words "adjusted gross income" with respect to "Mutual," "reciprocal" or "interinsurance exchanges" and "Other" insurance companies shall have the same meaning as the term "taxable income" as defined for "mutual" companies and "reciprocal" or "interinsurance exchanges" in Section 822, and for "other" companies in Section 832, of the United States Internal Revenue Code of 1954.

(c) Adjusted Gross Income of Foreign Insurance Companies. The adjusted gross income of a life insurance company or other insurance company organized under the laws of any country or of any state of the United States other than the State of Alabama shall mean the adjusted gross income of such company as defined hereinabove less a percentage of such adjusted gross income determined by the ratio which the company's premium income paid by citizens of countries or states other than the State of Alabama bears to the company's total premium income.

Section 2. In addition to all other taxes now imposed by law there is hereby levied and imposed a special tax on the incomes of individuals and domestic corporations from whatever source derived within this State, and on the income of every foreign corporation doing business in Alabama which is derived from its property situated within this state and from its business done and transacted within this state, which tax shall be assessed, collected and paid at the rates specified herein, for each year, as hereinafter provided. The tax shall be computed on the adjusted gross income as herein defined.

If the adjusted gross income is:	The tax shall be:
Not over \$2,000 but more than \$1,000	.0050 of the taxable income.
Over \$2,000 but not over \$3,000	\$ 10.00, plus .0060 of excess over \$2,000.
Over \$3,000 but not over \$4,000	\$ 16.00, plus .0065 of excess over \$3,000.
Over \$4,000 but not over \$5,000	\$ 22.50, plus .0070 of excess over \$4,000.
Over \$5,000 but not over \$6,000	\$ 29.50, plus .0075 of excess over \$5,000.
Over \$6,000 but not over \$7,000	\$ 40.00, plus .0080 of excess over \$6,000.
Over \$7,000 but not over \$8,000	\$ 48.00, plus .0085 of excess over \$7,000.
Over \$8,000 but not over \$9,000	\$ 56.50, plus .0090 of excess over \$8,000.

Over \$9,000 but not over \$10,000	\$ 65.50, plus .0095 of excess over \$9,000.
Over \$10,000 but not over \$12,000	\$ 75.00, plus .0100 of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$ 95.00, plus .0150 of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$125.00, plus .0200 of excess over \$14,000.
Over \$16,000 but not over \$18,000	\$165.00, plus .0250 of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$215.00, plus .0300 of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$275.00, plus .0350 of excess over \$20,000.
Over \$22,000 but not over \$25,000	\$345.00, plus .0375 of excess over \$22,000.
Over \$25,000 but not over \$35,000	\$457.00, plus .0385 of excess over \$25,000.
Over \$35,000 but not over \$50,000	\$842.00, plus .0395 of excess over \$35,000.
Over \$50,000 but not over \$65,000	\$1,434.00, plus .0400 of excess over \$50,000.
Over \$65,000 but not over \$80,000	\$2,034.00, plus .0405 of excess over \$65,000.
Over \$80,000 but not over \$90,000	\$2,641.50, plus .0407 of excess over \$80,000.
Over \$90,000 but not over \$100,000	\$3,048.50, plus .0408 of excess over \$90,000.
Over \$100,000	\$3,456.50, plus .015 of excess over \$100,000.

Persons and subjects taxable under this Act are: (1) Every individual residing in Alabama; (2) every corporation domiciled in Alabama or licensed or qualified to transact business in Alabama; (3) every corporation doing business in Alabama or deriving income from sources within Alabama, including income from property located in Alabama; (4) every resident individual or corporation acting in a fiduciary capacity; (5) every estate and trust resident in the State of Alabama to the extent of its undistributed adjusted gross income; (6) every non-resident individual receiving taxable income from property owned or business transacted in Alabama; (7) every natural person domiciled in the State of Alabama, and every other natural person who maintains a permanent place of abode within the State or spends in the aggregate more than seven months of the income year within the State, shall be presumed to be residing within the State for the purposes of determining liability for taxes under this Act;

The tax levied and imposed in this section on the adjusted income for the calendar year 1955, or for that pro rata part of the adjusted income applicable to any fiscal year ending in 1955 shall be due on January 1, 1956, and shall be paid on or before April 15, 1956; provided, however, the tax for the year 1955 may be paid in four equal quarterly in-

stallments, the last installment to be paid on or before September 30, 1956.

The tax levied and imposed in this section shall be assessed, collected and paid in the year 1956 upon and with respect to the taxable income for the year 1956, or for any fiscal year ending during the year 1956, and each year thereafter such tax shall be assessed, collected and paid as provided in subsequent sections of this Act.

Section 3. The following corporations and organizations shall be exempt from taxation under this Act: (1) Religious and Apostolic organizations as defined in Internal Revenue Code. (2) Corporations, and any community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific testing for public safety, literary, research or educational purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (3) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local association of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes. (4) Clubs organized and operated exclusively for pleasure, recreation, and other non-profit purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (5) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt under this Act. (6) Non-Profit Hospitals. (7) Charitable trusts and pension trusts which are exempt from Federal income tax and State of Alabama income tax.

Section 4. (1) Every employer who makes payment of wages shall deduct and withhold upon such wages of all employees where adjusted income exceeds one thousand dollars per annum a tax equal to one-half of one percent of the amount of wages paid, or to be paid in the calendar year of such employer. As used herein, the term "employer" shall have the same meaning as the term has under the income tax laws of the United States with respect to income tax collected at the source; the term "wages" and the term "employees" shall have the same meaning as those terms have under such laws.

(2) At the election of the employer with respect to such employee, the employer may deduct and withhold upon the wages paid to such employee a tax determined on the basis of tables to be prepared and furnished by the department of revenue, hereinafter referred to as "the department," which tax shall be substantially equivalent to the tax provided in this Act, and which shall be in lieu of the tax required in subdivision (1).

(3) In determining the amount to be deducted and withheld under this section, the wages may, at the election of the employer, be computed to the nearest dollar.

(4) The department may by regulation authorize employers: 1) to estimate the wages which will be paid to any employee in any quarter of the calendar year; 2) to determine the amount to be deducted and withheld upon each payment of wages to such employee during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid; 3) to deduct and withhold upon any payment of wages to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon the wages of such employee during such quarter to the

amount that would be required to be deducted and withheld during such quarter if the payroll period of the employee was quarterly.

(5) The department is authorized to provide by regulations for withholding in addition to that otherwise required under this section, and in cases in which the employer and employee agree to such additional withholding. Such additional withholding shall for all purposes be considered tax required to be deducted and withheld under this Act.

Section 5. The remuneration paid by an employer to an employee for services performed during one-half or more of any payroll period of not more than thirty-one consecutive days constitutes wages, all the remuneration paid by such employer to such employee for such period shall be deemed to be wages; but if the remuneration paid by an employer to an employee for services performed during more than one-half of any such payroll period does not constitute wages, then none of the remuneration paid by such employer to such employee for such period shall be deemed to be wages.

Section 6. Every employer required to deduct and withhold tax under Section 4 of this Act shall, for the quarterly period beginning January 1, 1956, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period, make return and pay over to the department of revenue, the tax required to be withheld under Section 4.

If the department has reason to believe that the collection of the tax provided for in Section 4 of this Act is in jeopardy in any case, it may require the employer to make such return and pay such tax at any time.

Every employer who fails to withhold or pay to the department any sums required by this Act to be withheld and paid shall be personally and individually liable therefor to the State of Alabama, and any sum or sums withheld in accordance with the provisions of Section 4 of this Act shall be deemed to be held in trust for the State of Alabama.

In the event an employer fails to withhold or pay over to the department any amount required to be withheld under Section 4 of this Act, such amount may be assessed against such employer in the same manner as is prescribed for the assessment of income taxes under the provisions of Section 407 of Title 51, Code of 1940. Such employer may appeal from such final assessment in the same manner as is prescribed by law for appeals by the taxpayer. When no appeal is taken by the employer, execution may be issued upon the final assessment in the same manner as is provided by law for the issuance of an execution by the department of revenue.

The State shall have a lien upon all the property of any employer who fails to withhold or pay over to the department sums required to be withheld under Section 4 of this Act. If the employer withholds but fails to pay the amount withheld to the department, the lien shall accrue as of the date the amount withheld was required to be paid to the department. If the employer fails to withhold, the lien shall accrue at the time the liability of the employer becomes fixed.

Section 7. Every person required to deduct and withhold from an employee a tax under Section 4 of this Act shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, within 30 days from the day on which the last payment or remuneration is made, a written statement showing the

following: a) the name of such person; b) the name of the employee and his social security account number, if any; c) the total amount of wages as defined in Section 5 of this Act; d) the total amount deducted and withheld as tax under Section 4 of this Act.

The statement required to be furnished by this section in respect of any wages shall be furnished at such other times, shall contain such other information, and shall be in such form as the department may by regulations prescribe. A duplicate of such statement, if made and filed in accordance with regulations prescribed by the department, shall constitute the return required to be made in respect to such wages under Section 393 of Title 51 of the 1940 Code. The department may promulgate regulations providing for reasonable extensions of time to employers required to furnish statements under this section.

Section 8. An employer shall be liable for the payment of the tax required to be deducted and withheld under Section 4 of this Act, and shall not be liable to any person for the amount of any such payment.

Section 9. Where there has been an overpayment of tax under Section 4 of this Act, refund or credit shall be made to the employer only to the extent that the amount of such overpayment was not deducted and withheld under Section 4 of this Act by the employer.

Unless written application for refund or credit is received by the department from the employer within two years from the date the overpayment is made, no refund or credit shall be allowed.

Section 10. The amount deducted and withheld as tax under Section 4 of this Act during any calendar year upon the wages of any individual shall be allowed as a credit to the recipient of the income against the tax imposed by Section 2 of this Act for taxable years beginning in such calendar year. If more than one taxable year begins in such calendar year such amount shall be allowed as a credit against the tax for the last taxable year so beginning. Where there has been an overpayment of any tax imposed under Section 2 of this Act, the amount of such overpayment may be credited against any tax levied by this Act or any installment thereof then due from the taxpayer, and any balance shall be refunded to the taxpayer.

Overpayments of taxes collected pursuant to Section 4 of this Act shall be refunded with interest at six percentum per annum. This interest shall not begin to accrue until ninety days after the overpayment is made, the return is filed, or the due date of the return, whichever is later. Exclusive authority to refund overpayments of taxes collected pursuant to this Act is vested in the Commissioner of Revenue or his authorized agents. No refund shall be made of less than one dollar.

Section 11. Every individual shall at the time prescribed in this section make a declaration of his estimated tax for the taxable year, if his income from sources other than wages can reasonably be expected to exceed one thousand dollars for the taxable year. In the declaration required the individual shall state: a) the amount which he estimates as the amount of tax under this Act for the taxable year; b) the amount which he estimates as a credit for the taxable year under Section 4 of this Act; c) the excess of the amount estimated under a) over the amount estimated under d), which excess for purposes of this Act shall be considered the estimated tax for the taxable year; d) such other information as may be prescribed in regulations promulgated by the department of revenue.

The declaration required shall be filed with the department on or before April fifteenth of the taxable year, except that if the require-

ments of this section as to income are first met after April 1 and before June 1 of the taxable year, the declaration shall be filed on or before June 15 of the taxable year; or after June 1 and before September 1 of the taxable year, the declaration shall be filed on or before September 15 of the taxable year; or if after September 1 of the taxable year, the declaration shall be filed on or before January 15 of the succeeding taxable year.

An individual may make amendments of the declaration filed during the taxable year under such regulations as the department may prescribe.

If the declaration is not required to be filed during the taxable year, but is required to be filed on or before such January 15, such return shall, for the purposes of this section, be considered as such declaration; and if the tax shown on the return reduced by the credit under Section 10 of this Act is greater than the estimated tax shown in the declaration previously made, or, in the last amendment thereof, such return shall, for the purposes of this section, be considered as the amendment of the declaration permitted by this section to be filed on or before January 15. The department shall promulgate regulations governing reasonable extensions of time for filing declarations and paying the estimated tax; provided that, except in the case of taxpayers who are abroad, no such extension shall be for more than six months. If the taxpayer is unable to make his own declaration, the declaration shall be made by duly authorized agents or by the guardian or other person charged with the care of the person or property of such taxpayer.

Section 12. (1) The estimated tax provided for in Section 11 of this Act shall be paid as follows:

(a) If the declaration is filed on or before April 15 of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the filing of the declaration, and the second and third of June 15 and September 15, respectively, of the taxable year, and the fourth on January 15 of the succeeding year.

(b) If the declaration is filed after April 15 and not after June 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before April 15 of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of the filing of the declaration and the second on September 15 of the taxable year and the third on January 15 of the succeeding year.

(c) If the declaration is filed after June 15 and not after September 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before June 15 of the taxable year, the estimated tax shall be paid in two equal installments; the first installment shall be paid at the time of the filing of the declaration and the second on January 15 of the succeeding year.

(d) If the declaration is filed after September 15 of the taxable year, and is not required by Section 11 of this Act to be filed on or before September 15 of the taxable year, the estimated tax shall be paid in full at the time of the filing of the declaration.

(e) If the declaration is filed after the time prescribed in Section 11 of this Act, including cases where extensions of time have been granted, paragraphs (b), (c), and (d) of this section shall not apply, and there shall be paid at the time of such filing all installments of esti-

ated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed by Section 11 of this Act, and the remaining installments shall be paid at the times at which and in the amounts in which they would have been payable if the declaration had been so filed.

(2) If any amendment of a declaration is filed, the remaining installments, if any, shall be ratably increased or decreased as the case may be, to reflect the respective increase or decrease in the estimated tax by reason of such amendment; and if any amendment is made after October 15 of the taxable year any increase in the estimated tax by reason thereof shall be paid at the time of making such amendment.

(3) At the election of the individual, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

(4) Payment of the estimated tax, or any installment thereof, shall be considered payment on account of the tax for the taxable year.

(5) In the case of an individual whose estimated gross income from farming for the taxable year is at least two-thirds of the total estimated gross income from all sources for the taxable year, in lieu of the time prescribed in Section 11 of this Act, the declaration for the taxable year may be made at any time on or before February 15 of the succeeding taxable year; and if such an individual files a return on or before February 28 of the succeeding taxable year, and pays in full the amount computed on the return as payable, such return shall have the same effect as that prescribed in Section 11 of this Act in the case of a return filed on or before January 15 of the succeeding taxable year.

(6) The application of this section and of Section 11 of this act to taxable years of less than twelve months shall be as prescribed in regulations promulgated by the department.

(7) In the application of this section and Section 11 of this Act to taxpayers reporting income on a fiscal year basis, there shall be substituted for the dates specified therein, the months corresponding thereto.

Section 13. (a) In the case of individuals the total balance of the tax owed after credits for taxes paid through withholding as provided in Section 4 of this Act or through declarations as provided in Sections 11 and 12 of this Act shall be due and payable on the fifteenth day of April following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(b) In the case of fiduciaries, the total amount of the tax imposed by this Act shall be paid on the fifteenth day of April following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(c) In the case of corporations the total amount of the tax imposed by this Act shall be paid on the fifteenth day of March following the close of the calendar year, or if the return shall be made on the basis of the fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

(d) In the case of a corporation, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of

the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the department of revenue.

(e) In the case of a fiduciary, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the second month, the third installment shall be paid on the fifteenth day of the fifth month, and the fourth installment on the fifteenth day of the eighth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the department of revenue.

(f) At the request of the taxpayer, the department may extend the time for payment of the amount determined as the tax due by the taxpayer, or any installment thereof, for a period of not to exceed three months from the date prescribed for the payment of the tax or any installment thereof. In such case the amount in respect of which the extension shall be paid on or before the date of expiration of the period of the extension.

(g) The tax imposed by this Act or any installment thereof may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Section 14. (1) Any employer required under the provisions of Section 4 of this Act to withhold taxes on wages and make quarterly returns and payment of amounts withheld to the department, who fails to withhold such taxes, or to make such returns, or who fails to remit amounts collected to the department, shall be liable for payment of the amount of taxes which should have been withheld and in addition shall be subject to a civil penalty equal to twenty-five percent of the amount of taxes that should have been properly withheld and paid over to the department for each such failure. Such tax and penalty shall be assessed and collected by the department and the assessment of such tax and penalty may be assessed in the manner provided in Section 407, of Title 51, of the 1940 Code of Alabama.

(2) (a) In the case of a failure to make and file a declaration of estimated tax within the time prescribed in Section 11 of this Act, unless such failure is shown to the satisfaction of the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of each installment due but unpaid, and one percent of the unpaid amount thereof for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment. For the purposes of this subparagraph, the amount and due date of each installment shall be the same as if a declaration had been filed within the time prescribed showing an estimated tax equal to the correct tax reduced by the credit allowed by Section 11 of this Act.

(b) Where a declaration of estimated tax has been made and filed within the time prescribed, or where a declaration of estimated tax has been made and filed after the time prescribed and the department has found that failure to make and file such declaration within the time prescribed was due to reasonable cause and not to willful neglect, in the case of a failure to pay an installment of the estimated tax

within the time prescribed, unless such failure is shown to the satisfaction of the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of the unpaid amount of such installment and, in addition, one percent of such unpaid amount for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment.

(3) If eighty percent of the tax, determined without regard to the credit for tax withheld in the case of individuals other than farmers exercising an election under Section 11 of this Act, or sixty-six and two-thirds percent of such tax so determined in the case of such farmers, exceeds the estimated tax, increased by such credit, there shall be added to the tax an amount equal to such excess, or equal to six percent of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This subsection shall not apply to the taxable year in which falls the death of the taxpayer, nor shall it apply to the taxable year in which the taxpayer makes a timely payment on April 15, June 15, September 15, of each year, or on January 15 of the year succeeding the taxable year, or in the case of farmers exercising an election under Section 11 of this Act within the last quarter, and making payment in an amount at least as great as though computed on the basis of the facts shown on his return for the preceding taxable year.

(4) Any penalty imposed by subsections (1), (2), or (3), of this section, shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(5) **Every tax imposed by this Act, and all increases, interest and penalties thereof, shall become a personal debt to the state from the taxpayer or other person liable therefor from the time it is due and payable.**

Section 15. Every individual taxpayer having an adjusted gross income of one thousand dollars (\$1,000.00) or over shall each year, make under oath to the department of revenue a return stating specifically the items of his gross income and his ordinary and necessary expenses incurred in earning this gross income. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year. The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Every partnership and every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make a return showing such facts as shall allow the department of revenue to correctly enforce this Act. Such returns shall be filed at the same times that individuals and corporations are required to file returns.

Every corporation, joint stock company, or association subject to the provisions of this Act shall make a return to the department of revenue for each taxable year stating specifically the items of its gross income and the necessary and ordinary business expenses incurred in earning this income. The return shall be sworn to by the president or other principal officer, and by the treasurer or assistant treasurer. In cases where a receiver, a trustee, or an assignee is operating the

business of a corporation, such receiver, trustee, or assignee shall make returns for such corporation. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year. The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Section 16. Any person or corporation, joint stock company, or association liable for tax under this Act, who shall fail to make returns as required by this Act within the time allowed or who shall fail to pay such tax shall be liable for a penalty of ten percent of such tax which may be assessed and collected as a part of the tax. The tax provided for in this Act shall be assessed and fixed by the department of revenue. Where the department of revenue determines that the amount due is different from that shown by the taxpayer's return, notice of such different amount shall be given to the taxpayer by registered mail, return receipt requested, giving the taxpayer notice of the amount so fixed, and the department shall fix a day, not less than fifteen days from date of such notice, for hearing any protest of the taxpayer. The time and place of such hearing shall be designated by such notice. Upon hearing such protest or if the taxpayer fails to appear on the day set, the department of revenue shall finally fix, determine, and assess the amount of tax due and notify the taxpayer thereof by registered mail. Within thirty days from the date of mailing the letter advising the taxpayer of such assessment the taxpayer may appeal from such assessment in the same manner as from assessments made by the department of revenue as provided for in Title 51, Code of Alabama 1940.

Any person or corporation failing or refusing to make a list or return required by this Act, or rendering a willfully false or fraudulent list or return, shall be assessed by the department of revenue on account of such tax in such manner as appears to it from the best information obtainable, either by examination of the defaulting taxpayer or any other evidence. In case of failure or neglect to make such list or return, the department of revenue may at its discretion add a penalty of not more than twenty-five percent as a penalty to the amount of the tax due; and in the case of a willfully false or fraudulent return or list having been rendered, the department of revenue shall add a penalty of not more than fifty percent as a penalty to said tax.

Section 17. The proceeds of the tax hereby levied shall be remitted by the state department of revenue to the state treasurer. All proceeds, less the amount appropriated to pay the cost of collection, are hereby appropriated to the Alabama Special Educational Trust Fund. There shall be appropriated each fiscal year to the state department of revenue the amount necessary to defray the expense of collecting the tax hereby imposed, which amount shall be deducted from the proceeds of the tax. It is provided, however, that the appropriation shall be budgeted and allotted in the manner prescribed by Article 3, Chapter 4, Title 55, Code of Alabama (1940).

Section 18. Nothing in this Act shall be construed to require declarations of estimated income to be filed by estates and trusts.

Section 19. Any laws or parts of laws in conflict with this Act are hereby repealed.

Section 20. The provisions of this Act are hereby declared to be severable; and should any section, term, or provision herein be declared unconstitutional, such declaration shall not in any manner affect the remaining sections, terms, or provisions of this Act.

Section 21. This Act shall become effective upon the ratification of an amendment of the Constitution of Alabama relating to the levy of a tax on gross income; the operation of the Act depends upon the ratification of such amendment; if the amendment is not ratified and proclaimed as prescribed by law, this Act shall have no effect whatsoever.

And said bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE MESSAGE

Mr. Lamberth moved that the Senate concur in the foregoing report of the Committee on Conference relative to House Bill 788, the title of which and said Conference report are set out in the foregoing Message from the House.

Mr. Shelton moved as a substitute motion that the Senate non-concur in said Conference report, and request further Conference.

Mr. Van Antwerp moved that the motion of Mr. Shelton be laid on the table, and the motion to table was lost.

Yeas 15; Nays 19.

Yeas:

Messrs.:	Davis (Pickens)	Metcalf	Tate
Allen	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Davis (Lowndes)	Jones	Skidmore	Yarbrough (Randolph)

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Nays:

Messrs.:	Cooper	James	Roberts
Boutwell	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Shelton
Calvin	Flowers	Little	Smith
Coleman	Givhan	Reeves	Yarbrough (Autauga)

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REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. James,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Second Legislative Day was approved by the Senate.

ADJOURNMENT

At 5:05 P.M., on motion of Mr. Cantrell, pending further consideration of the motion of Mr. Shelton relative to H. B. 788, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 23, 1955, at 12 o'clock Noon.

THIRTY-THIRD LEGISLATIVE DAY
TUESDAY, AUGUST 23, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend H. W. Rice, Jr., Pastor, Chisholm Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Metcalf, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the Original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Also:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Also:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Hawkins:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

Also:

By Messrs. Money, Cox, Burkhalter, and Lee (Lawrence):

H. 255. To provide further for acquiring rights of way for state roads.

Also:

By Messrs. Thomas, McClendon, and Ramey:

H. 506. To Amend Section 3 of an Act Entitled "An Act to Regulate the Handling, Sale and Distribution of Barbiturates" approved August 15, 1947 (General Acts of 1947, Page 179.)

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 960. To the Committee on Education.

H. B. 255. To the Committee on Public Roads and Highways.

H. B. 506. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Thomas, McClendon, and Ramey:

H. 507. To Amend Section 232 of Title 22 of the Code of Alabama of 1940, as Amended:

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 507. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks and Lackey:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said

Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill or a bill in substance as follows will be introduced and its passage urged by the Legislature of Alabama, without cost to the State.

A BILL TO BE ENTITLED AN ACT

To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.
The Bessemer, Advertiser,

April 8, 15, 22, 29, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 8, 15, 22, 29 May 6, 1955 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 18 day of June, 1955.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Also:

By Messrs. Shumate and Selman:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Walker County is hereby authorized, directed, and required to file forthwith upon the passage of this Act written notice of the county's election to accept the provisions of Article 1 and 2 of Chapter 5, Title 26, Code of Alabama (1940), as amended, and cover the employees of Walker County under the Workmen's Compensation Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON
T. K. SELMAN
ALONZO SHUMATE

7-14-41

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper July 14, July 21, July 28, and Aug. 4, all in the year of 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,
Notary Public.

Also:

By Messrs. Selman and Shumate:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Also:

By Messrs. Selman and Shumate:

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Every registered voter who lives within the police jurisdiction of a city or town in Walker County shall be entitled to vote at any and all municipal elections held by the city or town within whose police jurisdiction he resides notwithstanding the fact that he resides outside the corporate limits of such municipality.

Section 2. The governing body of each city or town in Walker County when designating voting places for the wards in the city or town shall also designate the place or places at which qualified electors authorized by Section 1 hereof to vote in the election in such municipalities may vote, and such electors may vote at the designated places and nowhere else.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON
T. K. SELMAN
ALONZO SHUMATE

7-21-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WALKER.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1955.

ELLOUISE GRIFFIN

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,
Notary Public.

Also:

By Messrs. Selman and Shumate:

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Except as otherwise provided in this Act, all purchases of **supplies, material, equipment and contractual services, including** linen and cleaning services, for Walker County or any office, department, board, agency or institution thereof, including the county board and superintendent of education, involving an expenditure of \$25.00 dollars or more, shall be based on competitive bids.

Section 2. (a) Any officer or employee of Walker County authorized to purchase any of the items enumerated in Section 1 hereof shall before awarding any contract of purchase, secure at least three competitive bids thereon and shall award such contract to the lowest responsible bidder, taking into consideration the qualities of the commodities **proposed to be supplied, their conformity with specifications, the purposes** for which required, the terms of delivery, transportation charges, and the dates of delivery. Any or all bids may be rejected if the public interest will be served thereby. If all bids received on a pending purchase or contract are for the same unit price or total amount, all such bids may be rejected and the purchase may be made on the open, market, provided the open market price does not exceed the bid price.

(b) A record of all invitations for bids shall be kept and each bid, along with the name of each bidder responding thereto, shall be entered on this record. The successful bidder shall be indicated on this record, and if the award is not made to the lowest or best bidder the **reasons** therefor shall also be entered thereon. After the award of the order or contract the record shall be open to public inspection.

Section 3. Competitive bids need not be secured when making purchases of:

(1) Telephone or telegraph services, electric light and power service; and other utility services;

(2) Books or other printed matter on technical subjects;

(3) Perishable articles, such as fresh vegetables, fresh meat, eggs, milk and other foodstuffs;

(4) Commodities or services for which there is extreme or immediate need to meet actual emergencies involving danger to life or property or arising from unforeseen causes, such as delays by contractors, delays in transportation or unprecedented volume of work, or breakdowns in machinery.

Section 4. The Board of Revenue or other governing body of Walker County may promulgate additional rules not inconsistent with this Act, regulating the purchase of supplies, material, equipment and services for Walker County or any of its offices, departments, boards, agencies or institutions, other than boards of education, superintendent of education, schools and principals and teachers of schools. The board of education of Walker County may promulgate additional rules not inconsistent with this Act, regulating the purchasing of supplies, material, equipment and services for the schools and school system of Walker County.

Section 5. Any officer or employee of Walker County or any department, board, agency or institution thereof who awards a contract of purchases of any item or service enumerated in Section 1 hereof contrary to the provisions of this Act shall be liable personally for the cost of such order or contract, and if the same has been paid by the county the amount paid by reason of such contract may be recovered by the county in an appropriate action therefor, but as to Walker County the contract shall be void and unenforceable.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws and all administrative rules and regulations, in conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

REUBEN L. NEWTON
ALONZO SHUMATE
T. K. SELMAN

7-21-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,
Notary Public.

Also:

By Messrs. Oakley and Nettles:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

Also:

By Mr. Albea:

H. 990. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; and repealing Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, Page 1043).

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be made for the enactment of a local law affecting Calhoun County at the 1955 Regular Session of the Legislature, the substance of said law to be as follows:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Calhoun County shall provide to the sheriff of Calhoun County, Alabama, all necessary equipment, supplies, materials, uniforms, and not more than five automobiles, with two-way communication radios, and motor fuel, tires and accessories for their operation, all to be furnished upon the written requisition of the sheriff.

Section 2. Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, page 1043), are repealed. All other laws or parts of laws which conflict with this Act are also repealed.

Section 1 of said Act No. 607 provides that the governing body of Calhoun County shall furnish to the sheriff of the county, all necessary supplies, materials, and equipment including uniforms, needed for the efficient enforcement of the law in the county and for the efficient operation of the sheriff's office, including, but not limited to, five automobiles with two-way communication radios and motor fuel, tires and accessories for their operation, all to be furnished upon the written requisition of the sheriff. One such automobile shall be clearly identified as the county patrol, and used to patrol the county roads of Calhoun County.

Section 3 of said Act No. 607 provides that the sheriff of Calhoun County shall not be liable for the wrongful acts or omissions of his assistants, including special deputies sheriff, unless he participates in such acts or they are done in compliance with his orders or with his knowledge and consent.

Section 7 of said Act. No. 607 provides that the sheriff may appoint paid assistants as the need arises or as he deems proper, provided such special deputies are appointed without expense to Calhoun County.

(Signed) WOODROW ALBEA.

July 23, 30; Aug. 6, 13, 1955

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of the Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: July 23, 30; Aug. 6, 13, 1955.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 15 day of August, 1955.

L. JEAN WILKINSON,
Notary Public.

Also:

By Mr. Speaks:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

Also:

By Messrs. Goodwyn, Hall, Nolen, and Dawkins:

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made.

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit: Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 25, Township 16 north, Range 17 east, which point is the intersection of the Montgomery City Limit and the center line of Cleveland Avenue, and also the point of beginning; thence travel west along the Montgomery City limit line to the intersection of the west boundary of the Atlantic Coastline Railroad right-of-way; thence southeasterly along the west boundary of the Atlantic Coastline Railroad right-of-way to the intersection of the north boundary of the Southern Bypass; thence east along the north boundary of the Southern Bypass to the intersec-

tion of the center line of Cleveland Avenue which line is also a Montgomery City limit boundary; thence north along said centerline of Cleveland Avenue back to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective October 1, 1955.
JNL July 20-27-August 3-10.

Montgomery, Alabama

**STATE OF ALABAMA
MONTGOMERY COUNTY**

Before me T. A. Hardy a Notary Public in and for the State and County aforesaid personally appeared P. W. Walsh who first being duly sworn according to law deposes and says that: he is Secretary for The Advertiser Company, publishers of The Montgomery Advertiser and The Alabama Journal and that the advertisement of Capell, Howard & Cobbs appeared in said publication on July 20, 27, August 3, 10, 1955 and there is now due on said account the sum of \$..... which is due, just and unpaid and that no part of said account has been paid except as herein specified.

P. W. WALSH.

Sworn to and subscribed before me this 11 day of August, 1955.

T. A. HARDY,

Notary Public Montgomery County Alabama

My Commission Expires

Also:

By Messrs. Goodwyn, Nolen, Hall, and Dawkins:

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit:

Commencing at the Southeast corner, Sec. 9, T16N, R18E, Montgomery County, Alabama, thence North along the East line of said Sec. 9,

a distance of 1632.5 feet to a point, said point being the point of beginning and, also, Southeast corner of the Plat of Forest Hills, Plat No. 1, thence West along the South boundary of the plat of Forest Hills, Plat Nos. 1, 2 and 3, and Westerly along the extension of the South boundary of the said Plats 1, 2 and 3 of Forest Hills, to the half section line running North and South through the center of Sec. 9, T16N, R18E, thence North along said half section line running North and South through the center of Sec. 9, T16N, R18E, to the Northwest corner of the Southeast quarter of Sec. 9, T16N, R18E, thence East along the half section line running East and West through the center of Sec. 9, T16N, R18E to the East line of Sec. 9, T16N, R18E, thence South along the East line of Sec. 9, T16N, R18E, to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.
Ala. Jour. July 23, July 30, Aug. 6, Aug. 13, 1955.

**THE STATE OF ALABAMA
COUNTY OF MONTGOMERY**

Before me I. B. Smith a Notary Public, in and for said County and State personally appeared P. W. Walsh for Advertising Manager "The Advertiser Company", publishers of The Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama, who deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on the following dates: July 23, July 30, August 6 and August 13, 1955.

P. W. WALSH.

Sworn to and subscribed before me this the 16 day of August, 1955.

**I. B. SMITH.
Notary Public.**

Also:

By Messrs. Cornett and Brassell:

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF RUSSELL**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit

court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 75, H. 379, approved May 28, 1943, the Act which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41), as amended by an Act approved June 19, 1947, is amended further to read as follows:

"Such deputy circuit clerk so appointed shall be paid a salary out of the general fund of Russell County of not less than one thousand eight hundred nor more than two thousand eight hundred twenty dollars per annum, to be paid in twelve equal monthly installments. The salary of the deputy circuit clerk shall be fixed by the county commission of Russell County."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF RUSSELL**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.

Sworn to and subscribed before me August 12, 1955.

**HAROLD E. POOR, JR.,
Notary Public.**

Also:

By Messrs. Cornett and Brassell:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF RUSSELL**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40), is amended to read as follows:

"The chief clerk so appointed shall be paid a salary of not less than one hundred fifty dollars nor more than two hundred thirty-five dollars per month, said salary to be fixed by the county commission of Russell County, Alabama."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF RUSSELL**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.

Sworn to and subscribed before me August 12, 1955.

**HAROLD E. POOR, JR.,
Notary Public.**

And ordered same sent forthwith to the Senate without engrossment.

**R. T. GOODWYN, JR.,
Clerk.**

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 969, 984, 985, 986, 987, 988, 989, 990, 991, 999, 1000, 1002 and 1003.

To the Committee on Local Legislation.

(The bill, H. B. 991, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

Also:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Also:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and

compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be *ex officio* judge of the juvenile court.

Also:

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Kendall, Dawkins, Hawkins and Harrison:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

And sends same herewith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read at length as required by the Constitution and referred to appropriate Standing Committee as follows:

H. B. 835. To the Committee on Constitution and Constitutional Revision and Amendments.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Windle, Kaul, Davis, Pirkle, and Locke (Choctaw):

H. 178. To provide a program for the protection of forest trees from tree infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Also:

By Messrs. Brassell and Cornett:

H. 554. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 178. To the Committee on Finance and Taxation.

H. B. 554. To the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Fite, Money, Hanby, Burkhalter, Pirkle, Gregory, Lee (Lawrence), Brown (Lamar), Reynolds, Speaks, Cox, Jenkins and De-ment:

H. 675. To amend Section 47, of Title 36, Code of Alabama 1940:

Also:

By Messrs. Goodwyn, Hall, Nolen, Dawkins, Adams, deGraffenried, Hain, Steagall, Hawkins, Vacca, Perry, Lee (Lawrence), Nice, Davis, Pruitt, Harvey and Kendall:

H. 951. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41

of the Code of Alabama, 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 675. To the Committee on Public Roads and Highways.

H. B. 951. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

Also:

By Messrs. Cornett and Brassell:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 16, H. 120, approved May 20, 1943, the Act which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy, and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9), as amended by an Act approved May 26, 1949, is amended further to read as follows:

"The salaries of the deputy tax assessor and the deputy tax collector shall be fixed by the county commission of Russell County, Alabama, at not less than one thousand eight hundred nor more than two

thousand eight hundred twenty dollars per annum. Such salaries shall be paid by the county commission out of the general fund in the county treasury in twelve monthly installments."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.

Sworn to and subscribed before me August 12, 1955.

HAROLD E. POOR, JR.,
Notary Public.

Also:

By Messrs. Payne and McKay:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for passage by the Legislature of the State of Alabama of a bill which is substantially as follows:

A BILL TO BE ENTITLED AN ACT

To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Unless sooner required by order of the presiding Judge of the Circuit Court, the Jury Commission of Talladega County shall meet in the county courthouse in Talladega on the first Monday of October, 1955, and on said day each two years thereafter, make in a well-bound book a roll containing the name of every male citizen living in the county who possesses the qualifications prescribed by law and who is not exempted by law from serving on juries. The roll shall be arranged alphabetically and by precincts in their numerical order and

the jury commission shall cause to be written on the roll opposite every name placed thereon their name, occupation and place of business of every person selected and if the residence has a street number, it must be given. Upon completion of the roll, the Jury Commission shall cause to be prepared plain white cards, all of the same size and texture and shall have written or printed on the cards the name, occupation, place of residence and place of business of the persons whose name has been placed on the jury roll; writing or printing but one person's name, occupation, place of residence and of business on one card. When the cards have been so prepared, the Jury Commission may then segregate, remove and set aside the cards bearing the name of all jurors who served as jurors during the two years next preceding September 15th of that year. The names of the jurors on the cards so removed shall continue on the rolls as qualified jurors, but the cards shall not then be placed in the jury box, but shall be retained as a reserve to be used as hereinafter provided. All other cards prepared as herein provided, shall then be placed in a substantial metal box provided with a lock and two keys, which box shall be kept in a safe or vault in the office of the Probate Judge, and if there be none in that office, the Jury Commission shall deposit it in any safe or vault in the Court House to be designated on the minutes of the Commission, and one of said keys thereof shall be kept by the President of the Jury Commission. The other of said keys shall be kept by the Presiding Judge of the Circuit Court for the sole use of the Judges of the Courts of said county needing jurors. The jury roll shall be kept securely and for the use of the Jury Commission exclusively. It shall not be inspected by anyone except the members of the Commission or by the Clerk of the Commission upon authority of the Commission, unless under an order of a Judge of the Circuit Court or other court of record having jurisdiction.

Section 2. Whenever the names in the jury box are exhausted or so far depleted that they will probably be exhausted at the next drawing of jurors; or whenever it shall appear to the Presiding Judge of the Circuit Court or Court of like jurisdiction that the jury box is so nearly exhausted as to require refilling, and the said Judge shall notify the President of the Jury Commission; the said Jury Commission shall thereupon place into the jury box all cards containing the names of jurors as prepared under the provisions of this Act in Section 1 and which have been withheld from the box when filled and set aside as a reserve. Provided, however, that in placing the cards held as a reserve in the box the Jury Commission may delete and withhold the cards of the names of any jurors who have died or have otherwise become disqualified from serving as jurors.

Section 3. Notices of the requirement of the attendance of jury service may be served by registered mail, or may be served as provided by Section 33 of Title 30, Code of Alabama of 1940. Should in the discretion of the sheriff the service be made by registered mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage thereon and demand a return receipt. When a return receipt, signed by the addressee is returned to the sheriff by the post office department of the United States the sheriff shall thereupon mark the process executed and it shall be considered for all purposes as sufficient personal and legal service. In the event said jury summons so mailed should be returned to the sheriff by the post office department of the United States without delivery to the addressee then the sheriff shall immediately make every effort personally to serve said summons. The provisions of this section in reference to service by registered mail, however, shall not apply to jury summons returnable before the court instantler, but such sum-

monses shall be served only as provided by Section 33 of Title 30, Code of Alabama of 1940.

Section 4. The clerks of the several courts in which juries are empaneled shall, from time to time as the juries are empaneled, certify to the Jury Commission the names of all persons so empaneled, and the Clerk of the Commission, under the direction of the Commission, shall note opposite the names of such persons on the jury roll the date on which and the court in which they were empaneled.

Section 5. The clerks of the several courts shall also certify to the Jury Commission the names of all persons who have been found by the Court to be disqualified or exempt, which fact shall be noted opposite their respective names on the jury roll.

Section 6. Any authority, right, power and duty heretofore imposed by law on the Jury Commission of the county or the clerk thereof, and which is not by this Act specifically repealed, shall hereafter be exercised or performed by the Jury Commission or the clerk thereof, respectively.

Section 7. That all laws in conflict with any of the provisions of this Act be and the same are hereby repealed, it being the intent of the Legislature that the subjects covered by this Act be the exclusive law on such subjects in Talladega County. Provided, however, nothing contained in this Act shall be construed to limit the present authority of the Judge of the Circuit Court or other Court of like jurisdiction from exercising any of the power given such Judge under Title 30, Section 22 of the Code of Alabama of 1940.

Section 8. That in the event any section, clause or provision of this Act shall be declared invalid or unconstitutional, it shall not be held to affect any other section, clause or provision of this Act, but the same shall remain in full force and effect.

Section 9. This Act shall take effect immediately upon its passage and approval by the Governor.

JI. 25; A. 1-8-15

THE STATE OF ALABAMA, TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Ila L. Davis, who being duly sworn according to law, deposes and says that she is the Bookkeeper of the Talladega Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: Jly 25, 1955, Aug. 1, 1955, Aug. 8, 1955, Aug. 15, 1955.

ILA L. DAVIS.

Subscribed and sworn to before me this 15th day of August, 1955.

ELIZABETH M. YOUNG,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Kaul, Perry, and Meeks:

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance as distinguished from detail, of the following.

**A BILL
TO BE ENTITLED
AN ACT**

To Alter and Extend the Boundaries of the City of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described additional territory not presently located in said city, to-wit:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 1, Township 17 South, Range 2 West, being a point on the present corporate limits of the City of Birmingham; thence North along the present corporate limits of the City of Birmingham to the South line of U. S. Highway No. 11 on Birmingham Gadsden Highway; thence Westward and Northward along the present corporate limits of the City of Birmingham to the North line of Section 1, Township 17 South, Range 2 West; thence East along the present corporate limits of the City of Birmingham to a point 435.0 feet West of the Southeast corner of the Southwest quarter of the Southeast quarter of Section 31, Township 16 South, Range 1 West, which point is on the Eastern corporate limits of the City of Birmingham; thence North along the present corporate limits of the City of Birmingham to the North line of the Southwest quarter of the Southeast quarter of Section 31, Township 16 South, Range 1 West; thence East along said line to the East line of said Southwest quarter of the Southeast quarter of said Section 31; thence South along said East line and along the East line of the West half of the Northeast quarter of Section 6, Township 17 South, Range 1 west to the Northwest line of the right of way of the Louisville and Nashville Rail Road; thence Southwesterly along said right of way line to the South line of the North east quarter of the Southwest quarter of Section 6, Township 17 South, Range 1 West; thence West along said South line and along the South line of the Northwest quarter of the Southwest quarter of said Section 6, to the East line of Section 1, Township 17 South, Range 2 West; thence South along said East line to the South line of said Section 1; thence West along said South line to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me

first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Lackey, Nice, Vacca, Edwards (Jefferson), Kaul, Perry and Meeks:

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance as distinguished from detail of the following.

A BILL TO BE ENTITLED AN ACT

To Alter and Extend the Boundaries of the City of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all the following described additional territory not presently located in said city, to-wit:

Begin at the Southwest corner of the Southwest quarter of the Southeast quarter of Section 35, Township 16 South, Range 2 West, which point is on the present corporate limits of the City of Birmingham; thence North along the West line of said Southwest quarter of Southeast quarter of said Section 35, to the North line of said Southwest quarter of the Southeast quarter of said Section 35; thence East along said North line to the West line of the Northeast quarter of the Southeast quarter of said Section 35; thence north along said West line to the North line of said Northeast quarter of Southeast quarter of said Section 35; thence East along said North line to the East line of Long Street; thence North along said East line to the North line of Section 35, Township 16 South, Range 2 West; thence East along said North line and along the North line of Section 36, Township 16 South, Range 2 West, to the East line of the Northwest quarter of the Northwest quarter of said

Section 36, said point being on the present corporate limits of the City of Birmingham; thence South along said corporate limits of the City of Birmingham to the South line of Roebuck View Survey; thence East along the present corporate limits of the City of Birmingham to the West line of Five Mile Road; thence South along said corporate limits to the South line of the Northeast quarter of the Northwest quarter of Section 36, Township 16 South, Range 2 West; thence West along said South line to the West line of Elizabeth Drive; thence South along the present corporate limits of the City of Birmingham to the North line of Roebuck Drive; thence West along said corporate limits 100 feet; thence South along said corporate limits to the South line of the Southeast quarter of the Northwest quarter of Section 36, Township 16 South, Range 2 West; thence West along said line, being the present corporate limits of the City of Birmingham to the West line of Roebuck Park Estates; thence South along said line, being the present corporate limits of the City of Birmingham and said line extended, to the North line of the Southeast quarter of the Southwest quarter of Section 36, Township 16 South, Range 2 West; thence east along said line to the West line of Crow's 1st Addition to Huffman; thence South along said line, being the present corporate limits of the City of Birmingham, to the South line of said Section 36, and the present corporate limits of the City of Birmingham; thence West along said corporate limits to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Kaul, Perry and Meeks;

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

To Alter and Extend the Boundaries of the City of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described additional territory not presently located in said city, to-wit:

Begin at the intersection of the South line of Section 25, Township 16 South, Range 2 West and the West line of Five Mile Road, which point is on the present corporate limits of Birmingham; thence North along the West line of Five Mile Road and along the North line of Lot 6, Killough Springs First Addition to the West line of the East half of Section 25, Township 16 South, Range 2 West; thence North along said West line to a point 350 feet South of the North line of the Southwest quarter of the Northeast quarter of said Section 25, thence East parallel with said North line to an intersection with the North line of Five Mile Road; thence Eastward along said North line to the West line of Section 30, Township 16 South, Range 1 West; thence South along said West line to the Southwest corner of the Southwest quarter of the Northwest quarter of Section 30, Township 16 South, Range 1 West; thence in an Easterly direction along the South line of said quarter-quarter section to the Southeast corner thereof; thence in a southerly direction along the west line of the northeast quarter of the southwest quarter of Section 30, Township 16 South, Range 1 West, to a point 110 feet South of the Northwest corner of the Northeast quarter of the Southwest quarter of Section 30, Township 16 South, Range 1 West; thence Eastward to a point on the West line of the Northeast quarter of the Southeast quarter of said Section 30, 625 feet North of the Southwest corner of the Northeast quarter of the Southeast quarter of said Section 30; thence South along said West line to the South line of said Northeast quarter of the Southeast quarter of said Section 30; thence East along said South line to the East line of said Section 30; thence South along said East line and along the East line of Section 31, Township 16 South, Range 1 West, to the South line of the Northeast quarter of the Northeast quarter of said Section 31; thence West along said South line to the East line of the West half of the East half of said Section 31; thence South along said East line to the Southeast corner of the Northwest quarter of the Southeast quarter of said Section 31; thence West along the South line of said Northwest quarter of the Southeast quarter of said Section 31, 264.0 feet to the present corporate limits of the City of Birmingham; thence continue Westward and Northward along the present corporate limits of the City of Birmingham to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Nice, Edwards (Jefferson), Kaul, Perry and Meeks:

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present regular 1955 session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL
TO BE ENTITLED
AN ACT

An Act to provide a Separate Retirement and Relief System for Certain of the Presently Active Employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System Provided by Act No. 502 of the Regular Session of the Legislature of 1923, as Reenacted and Amended; to Include in said Separate System Dependents of said Presently Active Employees; and to Render Said Act No. 502 Inapplicable to said Certain Presently Active Employees and Their Dependents.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Separate Retirement and Relief System Established.—There is hereby established a separate retirement and relief system for

those certain forty three presently active employees of the City of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended, and who are named as follows, to-wit: Jones T. Howell, William E. Coleman, Robert A. MacMurdo, Cecil B. Golden, Marion H. Cole, Abe Goldstein, William J. Haley, Otha B. Wilson, Harry V. Early, Carl C. Ray, Earl M. Heaton, James H. King, Edward W. Crump, Percy E. Jenkins, Drayton A. Scott, Trenton E. Lindsey, Benjamin F. Walker, Guy C. Boutwell, Arthur D. Kyle, Carl L. Ellison, Robert K. Austin, Woodrow W. Casey, Robert L. Hooper, Walter T. Jones, Clarence J. Patillo, Ronald L. Hallmark, William W. Rucks, Z. J. Claburn, Arthur F. Lovell, William D. Haynie, Norman C. Propst, William A. Parker, Charles L. Pierce, James H. Woolley, Samuel W. Hammett, Earl S. Collier, Willie M. Prier, William A. Dodson, Edward E. McNeal, Jamie Moore, Ellie T. Rouse, Charles L. Stevens and Bradley D. Pate.

Widows and children of the above named employees of the City of Birmingham shall be included in the retirement and relief system hereby established to the extent herein provided. Upon this act becoming effective the above named employees of the City of Birmingham shall be, and shall be deemed, mandatorily members of the retirement and relief system hereby established and shall cease to be members of the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended; and the provisions of said Act No. 502, as reenacted and amended, shall cease to be applicable to the above named employees of the City of Birmingham, their widows, children and mothers, but the provisions of this act shall become and thereafter be applicable to the above named employees of the City of Birmingham and, to the extent herein provided, their widows and children.

Section 2. DEFINITIONS.—The following words, terms, and phrases wherever used in this act, included this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

“The City”: The City of Birmingham.

“The 1923 system”: The pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, whether as originally enacted or as reenacted or amended.

“The system”: The retirement and relief system established by this act.

“In the service”: In the service of the city as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this act.

“Salary”: Money remuneration for time in the service.

“Payroll period”: A period of time for which a payment of salary is ordinarily made.

“Earnable daily rate”: Monthly rate of salary for time in the service divided by thirty.

“Salary days”: Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if, because of fault, misconduct or inefficiency upon his part, a member of the system shall have been demoted more than five years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by sixty; and provided, further, that no member of the system shall be deemed to earn, or to have earned, for any payroll period ending subsequent to the effective date of this act, salary at a rate in excess of five hundred dollars (\$500) per month.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by section 15 of this act for the administration, management and control of the system.

Section 3. CONTRIBUTIONS BY MEMBERS OF THE SYSTEM.—At the end of each payroll period ending subsequent to the effective date of this act, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn, or to have earned, salary at a rate in excess of five hundred dollars (\$500) per month. The city shall promptly pay each and every deduction in this section hereinabove provided for into the general treasury of the city (herein referred to as "the treasury"), and such deductions so paid into the treasury shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the treasury. Such payments shall become and be part of the funds and assets of the treasury. The

comptroller, however, shall keep a separate account of such deductions from salaries and payments thereof into the treasury and of all disbursements made pursuant to the provisions of this act and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed *prima facie*, to speak the truth.

Section 4. REFUND OF ERRONEOUS CONTRIBUTIONS.—If measured by the provisions of this act, any amount shall be erroneously deducted from the salary of any person who is not a member of the system and paid into the treasury, such amount shall be refunded to such non-member.

Section 5. BAR OF CLAIM OF CREDITABLE TIME.—In the event the city should, through error, inadvertence or otherwise, neglect to make proper deduction for the treasury from the salary of any member of the system for any payroll period, the member of the system shall have a right to pay into the treasury the amount which should have been deducted for such payroll period at any time within three months after expiration of such payroll period, together with interest thereon, at the rate of six per cent (6%) per annum, and to count the principal so paid as a salary deduction contribution. In the event of failure of such member of the system to so pay within such time, he shall forfeit any right to so pay thereafter. In the event any tender of such payment within such time, shall be refused, the member of the system may, within three months after such refusal, institute mandamus proceedings to compel acceptance, and in such proceeding the court shall treat as included in the proceedings the question of right of the member of the system to make contribution for any payroll period subsequent to the aforesaid payroll period and prior to date of its order for which proper salary deduction was not made. Nothing herein contained shall be construed to prevent the city from recovering at any time, with six per cent per annum interest, any amount which should have been deducted for any payroll period but which was not deducted.

Section 6. RETIREMENT ALLOWANCES.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance, he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subdivision (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subdivision of this section shall be one and two-fifths per centum ($1\frac{2}{5}\%$) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus three and one-half per centum ($3\frac{1}{2}\%$) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-two and one-half per centum ($52\frac{1}{2}\%$) of his final average salary. The amount of any retirement allowance under this subdivision of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having

accumulated (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to one and two-fifths per centum (1 $\frac{2}{5}$ %) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-two and one-half per centum (52½%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person, the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation from the service. If such certificate shall be made within said time the amount of retirement allowance shall commence to accrue at date of involuntary retirement, and if such certificate shall not be made within said time, the amount of retirement allowance shall commence to accrue at age sixty, provided there shall be no withdrawal of any amount pursuant to section 10. Any thing hereinabove to the contrary notwithstanding, a retirement allowance under this subdivision of this section shall not accrue or be payable for any period during which such involuntarily retired person shall refuse or fail to accept proffered employment in the service at compensation equal to that he was receiving at the time he was involuntarily separated from the service. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and, for such purposes, may disregard a fraction of a year of creditable time less than one-fourth ($\frac{1}{4}$). (d) Subject to the provisions of subdivisions (b), (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act, and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of death of any member of the system after he shall have become entitled to voluntarily retire and obtain a retirement allowance, his widow, at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the amount of monthly retirement allowance to which her deceased husband would have been entitled had he retired immediately before death; and in the event of death of any retired beneficiary in whose favor the amount of a monthly retirement allowance is accruing, his widow, at the time of his death, provided she was married to him for at least five years while he was in the service, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the monthly amount of the retirement allowance accruing in favor of her deceased husband immediately prior to his death. (g) If a member of the system be killed in the line of his duty, his widow, if any, without regard to the time during which the marriage existed, shall be entitled to a monthly allowance of forty per

centum (40%) of the final average salary of such member of the system plus a monthly allowance of ten per centum (10%) of the final average salary of such member of the system for each child of such widow by such deceased member of the system until such child shall die or reach the age of eighteen (18) years, whichever may first occur. In the event such member of the system killed in line of duty leaves no widow surviving, or in the event of the death of his widow, the monthly allowance provided hereby for any child of such deceased member of the system shall be payable to the legal guardian of, or to the person who has custody of, said child for the use and benefit of said child. The total amount of monthly allowances payable under this subdivision (g) to the widow and child or children of a deceased member of the system shall in no event exceed fifty per centum (50%) of the final average salary of such deceased member of the system. In the event there is more than one child of such deceased member of the system entitled to an allowance hereunder, the widow, if any, shall nevertheless receive forty per centum (40%) of the deceased member's final average salary, as hereinabove provided; and the allowance for the children, so long as there are a widow and more than one child receiving an allowance hereunder, shall be reduced equally so that in no event shall the total allowances paid hereunder exceed fifty per centum (50%) of the final average salary of such deceased member of the system. (h) The amount of a widow's allowance, provided for in (f) and (g) above shall commence to accrue at the death of her husband, and shall continue to accrue to the time of her death or remarriage, whichever may first occur.

Section 7. DISABILITY ALLOWANCES.—(a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subdivision (b) of this section shall not be applicable, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to one and three-fourths per centum ($1\frac{3}{4}\%$) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed thirty-five per centum (35%) of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subdivision of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to the lesser of three hundred dollars (\$300.00) or sixty per centum (60%) of his monthly salary at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an "extraordinary disability allowance", but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability or if such accident

occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance and unless such resolution be passed within twelve months after the accident resulting in disability. In event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability and such total disability from such injury should thereafter cease, the board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods, not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then, such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions or any amount payable under Section 11 his right to continuance of disability benefits shall immediately cease.

Section 8. REDUCTION OF ALLOWANCES.—Any amount otherwise payable pursuant to the provisions of this act to any beneficiary for any month or part thereof on account of retirement, widowhood or disability shall be reduced by the amount, if any, paid or payable to such beneficiary for the same month or part thereof on account or by reason of employment of said beneficiary during such month as an employee of the city.

Section 9. SEVERANCE NOMINEE.—The comptroller shall keep a book or record in which any member of the system may designate the name of a person to receive return of contributions made by him, and any amount payable under Section 11, in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the member of the system. Each such designation shall be signed and dated by the member of the system, and the last signed and dated designation shall prevail over any former designation. The rights of the last designated severance nominee shall be governed by Section 10.

Section 10. SEPARATION FROM SERVICE; PAYMENTS BY REASON OF SALARY DEDUCTIONS; RE-EMPLOYMENT AND RESTORATION OF PAYMENTS BY REASON OF SALARY DEDUCTIONS.—In the event that prior to the time he shall become a retirement beneficiary under the provisions of this act any member of the system should become separated from the service by death without widow or child entitled to an allowance hereunder or by discharge, dismissal, resignation, quitting or otherwise, he shall cease to be a member of the system, and, at the end of the payroll period in which any such event may occur, the treasury shall become liable for an amount equal to the aggregate of (a) the amount of contributions theretofore made to the treasury by such member of the system pursuant to section 3, without interest, less one-half of any disability benefits theretofore paid the member of the system pursuant to the provisions of this act, and (b) any amount that may be payable pursuant to section 11. The amount of such liability of the treasury shall be paid to the former member of the system if living. If such former member of the system be dead, however, the amount of such liability shall be paid to personal representatives who may qualify as such and make demand for payment within sixty days after death of such former member of the system, or, if there be no such qualification and demand, to the severance nominee of the former member of the system, or, if there be none, then to the spouse, children, father, mother, sisters or brothers of deceased in order of priority as enumerated. No amount due from the treasury under the foregoing provisions of this section shall bear interest until thirty days after proper demand for payment thereof. In the event any member of the system should become separated from the service and receive payment from the treasury pursuant to the foregoing provisions of this section and thereafter again become a member of the police department of the city he shall again become a member of the system and shall be liable to the city for restoration to the treasury of the full amount so received by him, and the comptroller shall deduct from the salary of such member of the system the amount of such liability for restoration in twenty monthly installments of substantially equal amount or in such lesser number of substantially equal restoration installment as will permit no installment to be less than ten dollars; provided, however, such member of the system shall have the right to pay in cash in advance of maturity, all restoration installments, or, in the inverse order of maturity, any number of installments less than all. Every restoration installment shall bear interest at the rate of six per centum per annum, and upon completion of payment thereof, with interest, the member of the system shall be entitled to count as creditable time all creditable time earned by him prior to so again becoming a member of the system. Anything hereinabove to the contrary notwithstanding, however, any person who may become liable for restoration under the foregoing provisions of this section may discharge himself of such liability and of interest thereon by filing with the comptroller within thirty days after attachment of such liability a written declaration that he elects to surrender creditable time prior to so again becoming a member of the system and to not be liable for restoration as in this section provided. Neither any member of the system or former member of the system, nor anyone claiming under him, shall be entitled to any payment from the treasury pursuant to the provisions of this section after the amount of any retirement allowance shall have commenced to accrue in his favor.

Section 11. PAYMENT BY REASON OF SALARY DEDUCTIONS UNDER THE 1923 SYSTEM.—Upon any return of contributions (less one-half of disability benefits) pursuant to Section 10 of this act there shall also be paid from the treasury, to the same person or persons, an amount equal to the aggregate of all deductions made subsequent to September 19, 1939 from the salary of the member of the system while

he shall have been a member of the 1923 system less one-half of any disability benefits paid to him subsequent to September 19, 1939 as a member of the 1923 system.

Section 12. LIABILITY OF MEMBERS OF THE SYSTEM TO THE CITY.—Any debt or liability of a member of the system to the city shall be offset against, and deducted from, any amount due under the provisions of this act to the member of the system or those claiming under him either as a payment under Section 10 or as disability or retirement payments or otherwise, and only the balance, if any, shall be payable under the provisions of this act.

Section 13. FALSE REPRESENTATIONS.—It shall be a misdemeanor, and punishable as such, for any member of the system or beneficiary to knowingly make any false representation to the board or to the secretary of the board or to the comptroller or to any investigator or agent of the board in respect of any matter pertaining to the administration of the system.

Section 14. EXEMPTIONS.—No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided that this shall not apply to assignments or debts to the city. Subject to section 9, no liability of the treasury under section 10 shall be subject to assignment, and, subject to the provisions of section 10 in relation to payment to personal representatives, no liability of the treasury under section 10 shall be subject to any process for the collection of debts.

Section 15. BOARD OF MANAGERS.—(a) There shall be a board of managers for the administration, management and control of the system. The board shall consist of the board of managers (as from time to time constituted) of the City of Birmingham Retirement and Relief System provided for in Act No. 929 of the regular session of the legislature of 1951, as amended. The chairman and secretary of said board of managers of the said City of Birmingham Retirement and Relief System, from time to time in office, shall respectively be chairman and secretary of the board. The board is directorily required to meet at least once a month in the office of the chairman, or such other place as the board may designate, on the second Thursday, or such other day as the board may designate, in each calendar month. Any two members of the board, after due notice having been given to all members of the board, may meet in special meeting and transact any business of the board, provided the secretary be present and record the proceedings of the special meeting as hereinafter provided. The secretary of the board shall be present at every meeting of the board, and keep a record of all proceedings of the board and of all orders and decisions of the board. Neither the secretary nor any member of the board shall receive any salary or compensation for his services as such. Two members of the board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The board is empowered to make rules and regulations not inconsistent with the provisions of this act in relation to its affairs and the system. The board shall receive, investigate and pass upon all applications for retirement, disability, widow and child allowances and shall make retirement, disability, widow and child allowances in accordance with the provisions of this act to all persons entitled thereto under this act, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. All disbursements pursuant to the provisions of this act shall be made from the treasury by the comptroller. No disbursement shall be made

pursuant to the provisions of this act except pursuant to order or authorization of the board; but otherwise the powers of the board shall not extend to management of the funds or assets comprising or from time to time held in the treasury, or any part thereof.

Section 16. REPEAL AND AMENDMENT RESERVATION.—The legislature reserves the power to amend, alter or repeal this act.

Section 17. NAME.—The name of the system shall be "The Limited Policemen's Retirement and Relief System of Birmingham, Alabama."

Section 18. EFFECTIVE DATE.—This act shall become effective on the first day of the calendar month next succeeding the calendar month in which this act shall be approved by the Governor or otherwise become a law.

Messenger—July 23-30; Aug. 6-13, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Meeks, Nice, Perry, Kaul, Vacca, Edwards (Jefferson) and Lackey:

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Begin at the southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 14, Range 3 West, Jefferson County, Alabama; thence run in a westerly direction along the south line of said quarter quarter section 554 feet; then turn to the right in a northerly direction and run in a line parallel to the east line of said quarter quarter section to the north line of said quarter quarter section; thence run east along the north a boundary line of the Town of Kimberly to the southwesterly line of the right-of-way of U. S. Highway No. 31; thence run in a southeasterly direction along the southwesterly line of the right-of-way of the said Highway No. 31 and in a southerly direction along the west line of said right-of-way of Highway No. 31 which is a boundary line of the Town of Kimberly to the southerly line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 14, Range 3 West, Jefferson County, Alabama; thence turn to the right and run in a westerly direction along the south line of said quarter quarter section which is a boundary line of the Town of Kimberly to the point of beginning, said property being partly in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 14, Range 3 West, and partly in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 14, Range 3 West, Jefferson County, Alabama and being adjacent to the easterly line of the Town of Kimberly.

Also begin at the northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 14, Range 3 West, Jefferson County, Alabama, run thence in a northerly direction along the west line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section township and range to the southwesterly line of the right-of-way of the Louisville and Nashville Railroad; thence turn to the south and east and run along the said southwesterly line of said railroad right-of-way to the southern line of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence turn to the right and run along the southern line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 14, Range 3 West to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved.

Messenger—July 9-16-23-30, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 9, 16, 23, 30, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 30th day of July, 1955.

MYRTLE P. LITTLE,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1004, 1005, 993, 994, 995, 996 and 1001. To the Committee on Local Legislation.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the report of the Committee on Conference appointed to reconcile the difference between the two Houses on the Senate amendment to the Bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

The question was on the substitute motion of Mr. Shelton that the Senate non-concur in the said Conference report and request further Conference.

RECESS

At 12:38 P.M., on motion of Mr. Cooper, and pending motion of Mr. Shelton relative to H. B. 788, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION
THIRTY-THIRD LEGISLATIVE DAY
TUESDAY, AUGUST 23, 1955

The Senate reassembled at 2:30 P.M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Money:

H. 724. To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said Division.

Also:

By Messrs. Davis, Windle, Locke (Choctaw), Oakley, Brannan, Nettles, Pirkle, McNider, Wood, Shumate, Jenkins, Branyon, Selman, and Kelly (with substitute):

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Also:

By Messrs. Hawkins and Dawkins:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Also:

By Mr. Stembridge:

H. 221. Relating to Department of Revenue: To authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 194. To the Committee on Forestry and Conservation.

H. B.'s 724, 816 and 221. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, sup-

plies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Brown (Lamar), Thomas and Oden.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 41, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Flowers, Metcalf and Boutwell.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution your signature thereto is requested.

H. J. R. 68. Relative to the death of Mr. John Thomas Johnson, father of Representative J. T. Johnson.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 70. Relative to the location of one of the additional trade schools at Draper Prison.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

RESOLUTIONS

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 72. Whereas the Honorable George P. Quarles, of Selma, represented Dallas County for two terms (1935-1942) in the House of Representatives, and served as senator from Dallas County, 1946-1950, and was reelected senator from Dallas County for the period 1950-1954, and later became judge of probate of Dallas County, and

Whereas the members of the Legislature hold the highest regard for this distinguished public servant, and

Whereas the members of the Legislature have learned of the great personal loss suffered by Judge Quarles in the death of his brother on Friday, August 19, 1955, now therefore

Be it resolved by the Senate of Alabama, the House of Representatives concurring: That the members of the Legislature hereby extend their heartfelt condolences to Judge George P. Quarles and his family for their great loss.

Be it resolved further, that the Secretary of the Senate transmit a copy of this resolution to Judge Quarles.

And on motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

The Standing Committee on Rules offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 26, 1955.

And on motion of Mr. Lamberth, the Resolution was adopted by the Senate.

MOTION TO RECESS LOST

At 4:09 P. M., Mr. Bradford moved that the Senate take a recess until 4:30 this afternoon, which motion was lost.

Yeas 12; Nays 20.

Yeas:

Messrs.:	Calvin	Lamberth	Roberts
Allen	Cantrell	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford			

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Nays:

Messrs.:	Eddins	James	Smith
Coleman	Engelhardt	Jones	Tate
Cooper	Givhan	Metcalf	Van Antwerp
Davis (Lowndes)	Goodwin	Newton	Yarbrough (Autauga)
Davis (Pickens)	Grisham	Reeves	Yarbrough (Randolph)
Dyar			

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UNFINISHED BUSINESS

The Senate then proceeded to further consideration of the Unfinished Business of the Morning Session.

The question was on the substitute motion of Mr. Shelton that the Senate non-concur in the Conference report relative to the bill:

H. B. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Which said Conference report is set out at length in the Journal of the Senate for the Thirty-Second Legislative Day.

And request further conference.

BILLS ON THIRD READING

THE BILL:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951, was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 46

A BILL TO BE ENTITLED AN ACT

To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 152 of Title 41, Code of Alabama 1940, as amended by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951, be, and the same hereby is, further amended so as to read as follows:

"S. 152. Amounts of salaries. When not fixed by law or provided for in the pay plan of the Merit System, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the Merit System, shall be fixed or approved in excess of seven thousand two hundred dollars per annum, unless a different maximum is fixed by law; provided, however, that the State Personnel Board may provide in the pay plan for officers and employees in the classified service of the State, as defined in the Merit System Law, a maximum salary or compensation not to exceed \$9,000 per annum, any law now applying to the salary or compensation of specific officers or employees to the contrary notwithstanding."

Section 2. That all laws and parts of laws in conflict with the provisions hereof be, and the same hereby are, expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:
Allen

Boutwell
Bradford

Cantrell
Coleman

Cooper
Davis (Lowndes)

Davis (Pickens)	Goodwin	Moses	Smith
Dyar	Grisham	Newton	Van Antwerp
Eddins	James	Reeves	Vann
Engelhardt	Jones	Roberts	Yarbrough (Autauga)
Flowers	Lamberth	Robison	Yarbrough (Randolph)
Givhan	Leonard	Skidmore	

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And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Tate
Cantrell	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)

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THE BILL:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

was taken up.

The Standing Committee on Agriculture reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 336

Strike out the words, "one hundred eighty dozen" appearing in subsection (a) of Section 1 and insert in lieu thereof the following: "One hundred twenty dozen"

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Roberts
Allen	Davis (Pickens)	Jones	Robison
Boutwell	Eddins	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Metcalf	Smith
Cantrell	Givhan	Moses	Tate
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)

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And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Boutwell	Calvin	Coleman
Allen	Bradford	Cantrell	Davis (Lowndes)

Davis (Pickens)	Grisham	Metcalf	Skidmore
Eddins	James	Moses	Smith
Engelhardt	Jones	Newton	Tate
Flowers	Lamberth	Reeves	Van Antwerp
Givhan	Leonard	Roberts	Yarbrough (Autauga)
Goodwin	Little	Robison	Yarbrough (Randolph)

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REPORTS OF COMMITTEES.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hain et al:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins et al (with substitute):

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brannan (With amendment):

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

By Mr. Brannan (With amendment):

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts (With notice and proof):

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event

of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

By Mr. Roberts:

S. 367. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

By Mr. Yarbrough (Randolph) (With notice and proof):

S. 368. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947 (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

By Mr. Jones (With notice and proof):

S. 370. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County.

By Mr. Flowers (With notice and proof):

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

By Mr. Metcalf (With notice and proof):

S. 375. To provide for the selection and qualifications of the County superintendent of education of Geneva County, and for the filling of vacancies in that office.

By Mr. Metcalf (With notice and proof):

S. 376. To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ferrell (With notice and proof) (With amendment):

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gist (With notice and proof):

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and Forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

By Mr. Gregory (With notice and proof):

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

By Mr. Speaks (With notice and proof):

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

By Mr. Speaks (With notice and proof):

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

By Mr. Davis (With notice and proof):

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

By Messrs. Hanby and Hawkins:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

By Messrs. Hawkins and Hanby:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

By Messrs. Lackey et al:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

By Messrs. Meeks et al:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to

provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

By Messrs. Lackey et al:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

By Messrs. Meeks et al:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

By Messrs. Meeks et al:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

By Messrs. Meeks et al (With notice and proof):

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

By Messrs. Edwards (Jefferson) et al (With notice and proof):

H. 968. To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

By Messrs. Perry et al (With notice and proof):

H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

By Messrs. Edwards (Jefferson) et al:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

By Messrs. Meeks et al:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official

act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

By Messrs. Meeks et al:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

By Mr. Brown (Lamar) (With notice and proof):

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

By Mr. Brown (Lamar) (With notice and proof):

H. 976. To regulate the meetings of the county board of education of Lamar County.

By Mr. Fite:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Cox (With notice and proof):

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court

for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

By Mr. Cox (With notice and proof):

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Court of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

By Mr. Harrison:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Huddleston et al:

H. 193. To define, regulate and license barbers, barber apprentices and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber apprentices, barber shops, barber colleges and like businesses, to eliminate the operation of this act in certain counties, to prescribe penalties and punishment for the violation of this act.

Mr. Davis (Lowndes), Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Burkhalter and Law:

H. 348. To amend Section 39, Title 8 of the 1940 Code of Alabama, relating to non-resident state fishing licenses.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the Original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

Also:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

Also:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Also:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

Also:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:
By Messrs. Stenbridge, Davis, Dement and Steagall:

H. 961. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee as follows:

H. B. 961. To the Committee on Constitution and Constitutional Revision and Amendments.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Hanby, Hawkins:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length and referred to appropriate Standing Committee as follows:

H. B. 878. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brannan:

H. 458. To create and establish a fund in the State Treasury to be designated as the Shipping Point Inspection Fund and to provide for deposits therein of certain funds, fees, costs, charges and collections; to provide for the withdrawal and expenditure of amounts deposited into the Shipping Point Inspection Fund.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 458. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 72. Relative to members of the Legislature expressing their sympathy to Judge George P. Quarles and his family on the death of his brother on Friday, August 19, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Albee:

H. J. R. 72. Whereas, the annual football game between the University of Alabama and Alabama Polytechnic Institute represents the epitome of wholesome athletic competition and good sportsmanship and evokes great interest and enthusiasm among the people of Alabama each year, and

Whereas, all available tickets have been sold far in advance of the football season, and

Whereas, the State of Alabama owns and operates the finest educational television network in the nation, and

Whereas, the people of Alabama who are unable to attend this game in person would greatly enjoy viewing the game over television, and the prestige of all participants would be thereby enhanced and the cause of athletics be furthered, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That the Legislature respectfully urges the officials of the University of Alabama, Alabama Polytechnic Institute and the Alabama Educational Television Commission to give the greatest possible consideration to the feasibility of televising the Alabama-Auburn football game on November 26, 1955.

2. That duly authenticated copies of this resolution be transmitted to the president of the University of Alabama, the president of the Alabama Polytechnic Institute, and the president of the Alabama Educational Television Commission.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 72, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 73. Relative to adjournment of the two Houses to meet again on Friday, August 26, 1955.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution.

S. J. R. 68. Relative to interim committee to study the activities being carried on in the exploration for and production of oil and gas resources in this State.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

APPOINTMENT OF SELECT COMMITTEE

In accordance with the provisions of S. J. R. 68, the President and Presiding Officer appointed as Committee on part of the Senate Messrs. Eddins, Metcalf and Van Antwerp.

FURTHER CONSIDERATION OF MOTION RELATIVE TO CONFERENCE REPORT ON H. B. 788

The question was on the motion of Mr. Shelton that the Senate non-concur in the Conference report appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. B. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Which motion was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Reeves	Smith
Coleman	James	Robison	Yarbrough (Autauga)
Eddins	Jones		

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Nays:

Messrs.:	Davis (Lowndes)	Lamberth	Tate
Allen	Davis (Pickens)	Metcalf	Van Antwerp
Calvin	Dyar	Moses	Vann
Cantrell	Goodwin	Newton	Yarbrough (Randolph)
Cooper	Grisham	Roberts	

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The question then recurred on the motion of Mr. Lamberth that the Senate concur in the report of the Committee on Conference, which said Conference report is set out at length in the Journal of the Senate for the Thirty-Second Legislative Day, which was adopted, and the Senate did concur in said Conference report.

Yeas 19; Nays 16.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Robison
Allen	Davis (Pickens)	Metcalf	Tate
Calvin	Dyar	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Cooper	Grisham	Roberts	Yarbrough (Randolph)

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Nays:

Messrs.:	Engelhardt	Jones	Shelton
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Little	Smith
Coleman	James	Reeves	Yarbrough (Autauga)
Eddins			

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RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 74. RESOLVED by the Senate that all Senate Bills on the Special Order for today shall have preference in the order named over any other Bills on the Special Order.

RESOLVED further, upon the completion of the Senate Bills on the Special Order, then Senate Bills on the Regular Calendar shall have preference over any other Bills until they are disposed of.

Mr. Coleman offered the following substitute for the Resolution, to-wit:

S. R. 74. BE IT RESOLVED by the Senate that the following shall be the Special, paramount, and continuing order of business today on the call of the calendar, superseding all and any prior, special, paramount and continuing order of business.

BILL

PAGE

H. B. 377

2

Senate Bills on the Special Order in the order named on the Special Order.

Senate Bills on the Regular Calendar in the order named on the Regular Calendar, and then:

H. B. 301

2

H. B. 576

3

H. B. 577

4

H. B. 578

4

H. B. 579

5

And continue with the remaining House bills on the Special order in the order in which they appear on the Special Order following after said House Bill 579.

MOTION TO ADJOURN LOST

At 6:34 P.M., Mr. Allen moved that the Senate adjourn until Friday, August 26, 1955, at 10 o'clock A.M., which motion was lost.

Yeas 15; Nays 19.

Yeas:

Messrs.:	Cantrell	Leonard	Skidmore
Allen	Dyar	Little	Smith
Bradford	Flowers	Roberts	Van Antwerp
Calvin	Lamberth	Shelton	Yarbrough (Autauga)

—15

Nays:

Messrs.:	Davis (Pickens)	Grisham	Newton
Boutwell	Eddins	James	Reeves
Coleman	Engelhardt	Jones	Robison
Cooper	Givhan	Metcalf	Tate
Davis (Lowndes)	Goodwin	Moses	Yarbrough (Randolph)

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FURTHER CONSIDERATION OF S. R. 74

The Senate then proceeded to further consideration of the Resolution, S. R. 74.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Third Legislative Day was approved by the Senate.

ADJOURNMENT

At 7:04 P.M., on motion of Mr. Goodwin, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 26, 1955, at 10 o'clock A.M.

Yeas 21; Nays 13.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Reeves
Boutwell	Davis (Pickens)	James	Smith
Bradford	Eddins	Jones	Tate
Calvin	Engelhardt	Little	Vann
Coleman	Givhan	Newton	Yarbrough (Autauga)
Cooper	Goodwin		

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Nays:

Messrs.:	Lamberth	Roberts	Skidmore
Allen	Leonard	Robison	Van Antwerp
Cantrell	Metcalf	Shelton	Yarbrough (Randolph)
Flowers	Moses		

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THIRTY-FOURTH LEGISLATIVE DAY

FRIDAY, AUGUST 26, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. Fred B. Pearson, Chaplain, Kilby Prison, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Rules Committee:

H. J. R. 74. BE IT RESOLVED by the House of Representatives, the Senate concurring, that the Clerk of the House be authorized and empowered to appoint an electrical roll call operator and an additional Assistant Clerk, who shall be paid the same per diem and allowance and serve during the same time as the present Assistant Clerks.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, H. J. R. 74, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Newton, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 21, the title of which is set out in the foregoing Message from the House:

SUBSTITUTE FOR S. B. 21

A BILL TO BE ENTITLED AN ACT

To make an appropriation for the support and maintenance of Walker County Junior College.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of ten thousand dollars (\$10,000.00) is hereby appropriated annually for each of the fiscal years ending September 30, 1956 and September 30, 1957, from any funds in the State Treasury not otherwise appropriated, for the use and benefit of WALKER COUNTY JUNIOR COLLEGE, located at Jasper, Walker County, Alabama, to be used for the support and maintenance of said college.

Section 2. This act shall become effective on October 1, 1955.

Yeas 27; Nays 7.

Yeas:

Messrs.:	Flowers	Leonard	Robison
Allen	Givhan	Little	Shelton
Boutwell	Goodwin	Metcalf	Skidmore
Cantrell	Grisham	Moses	Smith
Coleman	James	Newton	Tate
Cooper	Jones	Reeves	Van Antwerp
Dyar	Lamberth	Roberts	Vann

—27

Nays:

Messrs.:	Calvin	Eddins	Yarbrough (Autauga)
Bradford	Davis (Pickens)	Engelhardt	Yarbrough (Randolph)

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Resolution with the original Senate Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 68. Relative to creating a Legislative Interim Committee for the purpose of study of production of the oil and gas resources of this State and provision for development of same by technical personnel.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 788. To raise revenue for educational purposes; levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORTS OF COMMITTEES

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Kendall, Dawkins, Hawkins and Harrison:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Stembridge et al:

H. 961. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System,

which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Dawkins (With substitute):

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

By Messrs. Goodwyn et al (With substitute):

H. 951. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama, 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Money:

H. 724. To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said division.

By Mr. Stembridge:

H. 221. Relating to Department of Revenue: To authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

By Messrs. Windle et al:

H. 178. To provide a program for the protection of forest trees from tree infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kelly (With notice and proof):

H. 142. To repeal an act entitled "An Act To Authorize the Sheriff of Winston County, Alabama, with the approval of the County Govern-

ing Body, to appoint three additional Deputies Sheriff whose salary not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122).

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kelly (With notice and proof) (With amendment):

H. 143. To amend section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that now provided by law, and fix his salary and make it payable out of the general funds of the County in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405).

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Hanby:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

By Messrs. Hanby and Hawkins:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

By Messrs. Shumate and Selman:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any

subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

By Messrs. Shumate and Selman (With notice and proof):

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

By Messrs. Selman and Shumate:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

By Messrs. Selman and Shumate (With notice and proof):

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

By Messrs. Selman and Shumate (With notice and proof):

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

By Mr. Albea (With notice and proof):

H. 990. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; and repealing Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, Page 1043).

By Mr. Speaks:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Lackey et al (With notice and proof):

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

By Messrs. Lackey et al (With notice and proof):

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the

territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

By Messrs. Lackey et al (With notice and proof):

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

By Messrs. Lackey et al (With notice and proof):

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

By Messrs. Goodwyn et al (With notice and proof):

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Messrs. Goodwyn et al (With notice and proof):

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

By Messrs. Meeks et al (With notice and proof):

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

By Messrs. Cornette and Brassell (With notice and proof):

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

By Messrs. Cornett and Brassell (With notice and proof):

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

By Messrs. Cornett and Brassell (With notice and proof):

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

By Messrs. Payne and McKay (With notice and proof):

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for

the method of serving notice upon jurors requiring their attendance for jury service in said county.

By Mr. Kelly (With notice and proof):

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 371. To require the driver of any vehicle which strikes any horse, dog, cat or animal classified as stock, to stop and render aid to such animal, to notify the owner, custodian or officer thereof, to provide for the actions of such officer receiving such report and to provide penalties of this act, and manner of arrest for violation of same.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Davis et al:

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brannan:

H. 458. To create and establish a fund in the State Treasury to be designated as the Shipping Point Inspection Fund and to provide for deposits therein of certain funds, fees, costs, charges and collections; to provide for the withdrawal and expenditure of amounts deposited into the Shipping Point Inspection Fund.

RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution to-wit:

S. J. R. 75. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 30, and when the two Houses adjourn on Tuesday, August 30, they adjourn to meet again on Friday, September 2, and when the two Houses adjourn on Friday, September 2, they adjourn sine die.

The Rules Committee also offered the following Senate Resolution, to-wit:

S. R. 76. RESOLVED by the Senate that upon the call of the calendar today the following shall be the special, paramount and continuing order of business, superseding and displacing all prior special orders:

H. 206	Page 86
H. 617	Page 57
H. 728	Page 63
H. 470	Page 54

REPORT OF COMMITTEE HERETOFORE APPOINTED UNDER AND BY AUTHORITY OF HOUSE JOINT RESOLUTION NO. 8 OF THE FIRST SPECIAL SESSION OF THE LEGISLATURE OF 1955

To the House of Representatives and the Senate of Alabama:

The Committee heretofore appointed by the Speaker of the House and the President of the Senate under authority of House Joint Resolution No. 8 of the first Special Session of 1955 begs leave to make the following report:

Under the authority of the above Resolution, the Speaker of the House appointed the following members:

A. K. Callahan, Chairman, Virgis M. Ashworth, Howard L. Bagley, F. L. Ferrell, Karl C. Harrison, and Geo. W. Hodges, Jr.

The President of the Senate appointed the following:

Senator E. W. Skidmore, Senator Reuben Newton, and Senator Roland Cooper.

Prior to the making of this report the Honorable Howard L. Bagley passed away and was replaced on the Committee by the Honorable Jack Huddleston.

The Committee elected the Honorable Virgis Ashworth as Vice Chairman and began its work.

This Committee first met on Friday, the twenty-ninth of April, at the Bryce Hospital in Tuscaloosa, at which time they interviewed a large number of Circuit Court Registers, Directors of County Departments of Public Welfare, Members of the Staff of Bryce Hospital, and other interested persons.

Thereafter the Committee met on many occasions both as regular Committee meetings and as Sub-Committees.

The purpose of this Committee was to study Act No. 777 of the Acts of 1953, which Act is entitled "An Act to Provide for The Support and Maintenance of Mentally Ill Persons Committed to the State Mental Institutions, And Which Act Places the Burden of Support on the Relatives of Such Person."

This Act provides that the State Department of Public Welfare investigate the financial status of the family of each patient committed to the hospital.

After such investigation is made by the State Department of Public Welfare, the findings of the State Department of Public Welfare are transmitted to the Register in Chancery, whose duty it becomes to hold a reference and determine the amount that should be paid toward the support of the patient.

Since the Legislature has been in almost constant session since this Committee was appointed the Committee has not had time to complete its investigation and are of the opinion that the Committee should meet from time to time prior to the next regular meeting of the Legislature for the purpose of keeping in touch with the situation and for the purpose of completing its study.

At the time of the passage of the Act above referred to there were 218 pay patients at Bryce's Hospital, and after the Act had been in force for approximately two years, the number of pay patients had risen to 296, making a gain of approximately 78 during that period of time as a direct result of the passage of the Act.

One of the main reasons that the Act has not been more adequately enforced is that there was no provision for paying the Registers in Chancery for the work they were required to do, and since most of them work on a fee basis, there was no incentive for them to get the work done. However, since the investigation by this Committee has been underway, a large number of them have shown a willingness to cooperate, and in recent weeks a very substantial number of paying patients have been added.

One of the most important recommendations that the Committee makes is that a provision be made, if the Act remains on the Statute Books, for the payment of the Registers for the work they do.

The Committee would like to commend the Department of Public Welfare for the very excellent manner in which it has handled its part of the enforcement of this Act. The Department has made every investigation required of it in an expeditious manner, and has done a conscientious job and performed its duties well.

We further recommend that the Committee be kept in legal existence for the purpose of making further study of this situation, but that said Committee be limited to not more than sixty days spread over the period of time from now until the regular session of this Legislature in 1957.

A. K. Callahan, Chairman
E. W. Skidmore
Reuben Newton
Roland Cooper

Respectfully submitted,
Geo. W. Hodges, Jr.
Virgis M. Ashworth, Vice Chairman
F. L. Ferrell
Karl C. Harrison
Jack Huddleston

REPORT OF COMMITTEE UNDER H. J. R. 8
FIRST SPECIAL SESSION, 1955

The foregoing report of said Committee was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Hawkins and Dawkins:

H. 815. To provide for the appointment by the Governor of a press secretary; and to fix his compensation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 815. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

Also:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Branyon and Windle:

H. 772. To provide a law enforcement fund for the use of the circuit judge and circuit solicitor of the Twenty-fourth Judicial Circuit.

Also:

By Messrs. Perry, Meeks, Nice, Edwards (Jefferson), Vacca, Kaul, and Lackey:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made:

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the Town of Vestavia Hills, in the County of Jefferson, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said Town all of that territory lying within the County of Jefferson and included in the following described property:

The West half of the Northwest quarter of Section 30, Township 18, South, Range 2 West: The North half of the Northwest quarter of the Southwest quarter of Section 30, Township 18 South, Range 2 West: All of that part of the Northeast quarter of Northwest quarter of Section 30, Township 18 South, Range 2 West, lying west of the westerly right of way line of the Montgomery Highway consisting of lots 1 to 12, Block 21, and lots 1 to 12, Block 22, according to the survey of South Birmingham Heights and lots 1 and 2 Shades City: Also the Southeast quarter of Northeast quarter and the Northeast quarter of Southeast quarter of Section 25, Township 18 South, Range 3 West, Jefferson County, Alabama.

The Northeast quarter of Northeast quarter of Section 25, Township 18 South, Range 3 West and the East 981.0 ft. of the Northwest quarter of Northeast quarter of Section 25, Township 18 South, Range 3 West; All of the Southwest quarter of Southeast quarter of Section 24, Township 18 South, Range 3 West, lying South and Southeast of the center line of the Shades Crest Road: Also all of the Southeast quarter of Southeast quarter of Section 24, Township 18 South, Range 3 West, lying Southwest of the center line of the Universal Atlas Cement Company's power line right of way, Jefferson County, Alabama.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 2nd, 1955.

**ROBERT W. GWIN,
2212 Shades Crest Road,
TOWN OF VESTAVIA HILLS
Montgomery Highway.**

Post-Herald, July 26, Aug. 2, 9, 16, '55

**STATE OF ALABAMA,
COUNTY OF JEFFERSON, ss:**

On this 16th day of August A. D. one thousand nine hundred and 55 personally appeared before me, Joe L. Roberts, a Notary Public in and for the County and State aforesaid George W. Bradley, who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: July 26, 1955; August 2, 1955; August 9, 1955; August 16, 1955.

Signed GEORGE W. BRADLEY.

Subscribed and sworn to before me this 16th day of August, A. D., 1955.

JOE L. ROBERTS,
Notary Public.

My Commission Expires Mar. 12, 1956.

Also:

By Messrs. Brewer and Gilchrist:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), as amended, which placed the judge of probate of Morgan County on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge, is amended further to read as follows:

"Section 1. The Judge of Probate of Morgan County, Alabama, shall receive an annual salary of seven thousand five hundred dollars

(\$7,500.00). Such salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to such office, except as herein otherwise provided."

Section 2. Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), as amended, which placed the judge of probate of Morgan County on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge, is amended further to read as follows:

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor, not to exceed the sum of fourteen thousand three hundred dollars (\$14,300.00) per annum. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, subject to the maximum of fourteen thousand three hundred dollars (\$14,300.00), as conditions and circumstances may warrant."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent Judge of Probate of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective immediately upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Brewer and Gilchrist:

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 1. The salary of the Tax Assessor of Morgan County, Alabama, shall be five thousand two hundred dollars (\$5,200.00) per year, and shall be paid out of the County Treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. Section 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax assessor, but the tax assessor shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed five thousand dollars (\$5,000.00) per annum. The tax assessor shall have the right to discharge such clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semimonthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County, shall pay for all necessary traveling expenses for

annual trips over the county as required by law, but the tax assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the books, commonly known as 'Tax Abstract', provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expenses to Morgan County, for the same, or the preparation of the same. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax assessor from time to time as conditions may warrant, not to exceed however the sum of five thousand dollars (\$5,000.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax assessor of Morgan County, in accordance with the provisions of amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective immediately upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. McKay and Payne:

H. 1029. To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term, powers, duties, compensation, and method of selection; to prescribe the jurisdiction of the court; to regulate its procedure and process; to

provide for the return of warrants thereto; to fix the costs, charges, and commissions collectible in the court; to provide for appeals from the court; and to regulate the abolition of the court.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF TALLADEGA**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term, powers, duties, compensation, and method of selection; to prescribe the jurisdiction of the court; to regulate its procedure and process; to provide for the return of warrants thereto; to fix the costs, charges, and commissions collectible in the court; to provide for appeals from the court; and to regulate the abolition of the court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Talladega County is authorized to provide by ordinance for the establishment of a court of limited jurisdiction in criminal cases and civil actions at law in Beat 12 of Talladega County, which court shall be known as the Childersburg Civil Court.

Section 2. (a) Except as provided in subsection (b) of this section, the court shall have and exercise jurisdiction of all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions of ejectment), cognizable before circuit courts, county courts, justices of the peace or court created in lieu thereof and all courts of like jurisdiction. It shall have authority to punish contempts by fine not exceeding twenty-five dollars and imprisonment for not more than twenty-four hours. It may adopt and enforce rules and regulations relative to pleading, practice and procedure, provided that such rules and regulations are not contrary to the Constitution and laws of the State and law-made rules governing practice and procedure in circuit courts, inferior courts or justice of the peace courts or courts created in lieu thereof.

(b) The court shall not have the power to try persons charged with felonies, nor shall the court have jurisdiction of actions for libel or slander or workmen's compensation cases. It shall not have jurisdiction of any civil action when the amount in controversy exceeds three hundred dollars, nor take cognizance of any matter or proceeding in equity.

Section 3. (a) The judge of the court herein authorized shall be appointed by the court of county commissioners, board of revenue, or like governing body of Talladega County. The judge shall hold office at the pleasure of the court of county commissioners, board of revenue or like governing body of Talladega County.

(b) The judge shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the

Constitution. No person shall be eligible to the office of Judge unless he is at the time of his appointment a qualified elector of Talladega County residing within the territorial jurisdiction of the court. The judge shall not, during his term of office, act as attorney in any matter that has previously been before the court herein authorized or is pending before the court, but, if he be a duly licensed attorney, may practice and appear in all other courts and matters when the amount in controversy in a civil action exceeds three hundred dollars, if he be a duly licensed attorney, neither the judge nor his partner shall practice or appear as counsel in any criminal court in Talladega County in any criminal case in which the offense charged arose within the jurisdiction of the court herein authorized. Neither the judge nor his partner shall appear as counsel in any civil case in which the amount in controversy is three hundred dollars or less, exclusive of interest, and the cause of action arose within the jurisdiction of the court herein authorized. The judge shall be subject to the same penalties and obligations as circuit judges. Before entering upon the duties of his office, the judge shall give bond in such penal sum as may be prescribed by the court of county commissioners, board of revenue, or like governing body of Talladega County payable to the county and conditioned upon the faithful performance of the duties of his office. The bond shall be approved by and filed in the office of the probate judge of Talladega County. The premiums on the bond shall be paid out of the county treasury.

(c) The judge shall receive an annual salary not to exceed two thousand four hundred dollars (\$2,400), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers and employees are paid.

(d) The judge shall have authority to: (1) administer oaths and take acknowledgments: (2) issue search warrants: (3) solemnize marriages: (4) issue writs of ne exeat returnable to a court of proper jurisdiction: (5) exercise such other powers, jurisdiction or authority as may be conferred by law upon judges of inferior courts, county courts or justices of the peace, including that of magistrates on preliminary examinations.

(e) The judge shall keep an accurate civil and criminal docket and a record of all proceedings had in the court, including a direct and reverse index to all civil cases and proceedings had or pending in the court; and all judgment entries shall be signed by the judge and entered on his docket as required by law. Such dockets and records shall be open to public inspection at all reasonable times.

(f) The judge may, in the event there is no qualified or duly elected or appointed constable within the court's jurisdiction, appoint a suitable person to act without bond as constable, except as herein-after provided. The person so appointed shall perform the same duties, be liable for the same penalties and be entitled to the same fees and compensation as a regular constable, but he shall not be authorized to levy or collect executions, attachments or writs of detinue unless prior to the levying or collecting of such executions, attachments or writs of detinue he executes a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law with sureties to be approved by the judge.

(g) In case the judge is unable at any time to discharge the duties of his office by reason of sickness, disqualification, or other cause, he shall when necessary make or cause to be made a written order to be filed in the court designating and appointing a practicing attorney of the county who is learned in the law as special judge of the court. The person so appointed shall perform all the duties and exercise all the powers and authority of the judge and shall hold office until the judge resumes

his duties. The special judge shall receive five dollars for each day he serves as special judge, payable in the same manner and from the same funds as the compensation of the regular judge. Any amount paid to a special judge shall be deducted from the compensation of the regular judge of the court.

Section 4. (a) The court shall be open for the transaction of any kind and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at such times and places, within the court's jurisdiction, as may be designated by the judge. There shall be at least one civil and one criminal session of the court each week.

(c) The judge shall designate one or more of the constables within the court's territorial jurisdiction, or the special constable appointed by him pursuant to sub-section (f) of Section 3 of this Act, to attend, and the constable or constables so designated shall attend the sessions of the court in person. All writs and processes of the court shall be executed by a duly elected and qualified constable within the jurisdiction of the court or by the sheriff of the county.

(d) The constable shall be entitled to the same fees and allowances for serving and executing writs and process in the court as the sheriff is entitled to under the general law for serving and executing like writs and process.

Section 5. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits and the time within which suits may be brought shall be governed by statutes and rules of practice, procedure and process governing circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint or other processes have been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within seven days and the process issued shall so recite.

(c) In all civil actions at law where the amount in controversy does not exceed one hundred dollars the rules, practice and procedure shall be the same as prescribed by the statutes and rules of practice, procedure and process governing justice of the peace courts, except that the defendant shall have seven days in which to plead, answer or demur to any process issued from the court.

It is provided however that in cases of forcible entry and unlawful detainer the proceedings shall be had in all respects according to the rules of practice in justice of the peace court or courts created in lieu thereof.

(d) The judge shall decide all issues of the law and fact without the intervention of a jury.

Section 6. (a) For their attendance upon the court witnesses shall be entitled to the same fees and allowances prescribed by law for witnesses in county courts, which fees and allowances shall be taxed, collected and paid in the same manner as fees and allowances are taxed and paid in county courts.

(b) In addition to fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county

as follows: (1) in each civil action at law, if the amount in controversy does not exceed one hundred dollars, the same as in justice courts: (2) in every other civil action at law, the same as in circuit courts: (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts: (4) in every other criminal case, the same as in county courts, including fees as provided in Sections 86 and 87 of Title 11 of the Code of Alabama, 1940, except as provided in Section 7(b) of this Act.

(c) A trial tax of fifty cents shall be collected for the use of the county in each civil action at law if the amount in controversy does not exceed one hundred dollars. In every other civil action at law and in every criminal case, a trial tax of one dollar shall be collected for use of the county.

Section 7. (a) Prosecutions may be commenced in the court upon a sworn complaint made by the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon a sworn complaint made as prescribed by Section 3227 of Title 13 of the Code of Alabama, 1940, the case shall be docketed for trial after indictments. The judge shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued within the court's jurisdiction for misdemeanors for violations of the rules of the road and other misdemeanors defined or provided for in Title 36 of the Code of Alabama, 1940, shall be returnable to the court and shall be tried therein. The court costs in such cases shall be the same as in justice courts.

Section 8. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision to the circuit court of Talladega County within five days from the entry of a judgment and on the appeal either party may demand, and shall be entitled to a jury trial. Appeals shall be provided by law for appeals to the circuit court from judgments of justice courts or courts created in lieu thereof. The trial in the circuit court shall be de novo and according to the same procedure as in appeals from judgments of justice courts or courts created in lieu thereof.

Section 9. Once the court authorized herein has been created and established by the court of county commissioners, board of revenue or like governing body of Talladega County, the court may be abolished by such governing body only if the question of its abolition is approved by a majority of the qualified electors of Beat 12 of the county voting in a referendum held on this proposition.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF TALLADEGA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Rozelle, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of The Childersburg News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, 1955, Aug. 5, 1955, Aug. 12, 1955, and Aug. 19, 1955, all in the year 1955.

E. E. ROZELLE

Sworn to and subscribed before me August 19, 1955.

C. W. McKAY, JR.,
Notary Public.

Also:

By Messrs. Brown (Lamar) and Fite:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Also:

By Messrs. Nettles and Oakley:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sheriff of Wilcox County is hereby authorized and empowered to appoint a deputy in addition to all other deputies authorized by law, and to fix his compensation. The court of county commissioners, board of revenue, or like governing body of Wilcox County shall pay one hundred and fifty dollars per month of the total compensation of such deputy, out of the general fund in the county treasury. Such deputy shall have the power and authority of other deputies of the sheriff, but shall reside in and devote the major portion of his time in law enforcement work on the west side of the Alabama River.

Section 2. This Act shall become effective on the first day of the month commencing after the date of its enactment.
July 28; Aug. 4-11-18

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4th, Aug. 11th, and Aug. 18th, all in the year 1955.

STANLEY D. GODBOLD.

Sworn to and subscribed before me Aug. 18, 1955.

FRANCES M. GODBOLD,
Notary Public, Wilcox County, Ala.

Also:

By Mr. Stembridge:

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for

paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 11 approved May 19, 1945, as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation, and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect," be and the same is hereby amended so as to read as follows: Section 1. That the Sheriff of Houston County, Alabama shall receive and be paid an annual salary of Fifty Four Hundred (\$5400) Dollars, in lieu of other compensation, fees and emoluments, except as otherwise hereinafter provided for in this Act. The said Sheriff shall be allowed the sum of Twenty Thousand and Five Hundred (\$20,500) Dollars per annum for help and assistants as follows: One Chief deputy at Three Thousand Three Hundred (\$3,300) Dollars per annum; Three deputies at Two Thousand Seven Hundred (\$2,700) Dollars each per annum; Three deputies who shall also serve as jailers at Two Thousand One Hundred (\$2,100) Dollars each per annum; and one bookkeeper-deputy at Twenty Four Hundred (\$2,400) Dollars per annum. The Sheriff of Houston County shall further be allowed his necessary expenses in apprehending and returning prisoners from other States, up to and including four hundred (\$400) dollars per annum, said expense money to be paid on requisition filed with and approved by the Board of Revenue of Houston County, Alabama. All payments as provided for in this Act shall be paid out of the general funds of Houston County, in equal monthly installments at the end of each month, upon separate warrants drawn in the same manner as employees of Houston County are paid. The selection and appointment of said deputies, jailers and bookkeeper shall be made by the Sheriff of Houston County, and they shall serve only at his pleasure.

Section 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 3. This Act shall become effective on October 1, 1955 after its passage and approval by the Governor.

July 27, Aug. 3, 10, 16, 1955.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr. who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 27, Aug. 3, 10, 16, 1955; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.,

Sworn to and subscribed before me on this 16th day of August, 1955.

SHELBY THOMAS,
Notary Public.

Also:

By Mr. Speaks:

H. 1009. Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of Act No. 872, H. 1118, approved September 12, 1951, the Act which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners, is amended to read as follows:

"Each associate member of the board shall be a resident and qualified elector of the district for which he is elected, and shall reside in the district during his continuance in office. Each associate member of the board shall be nominated by the voters of the district who are authorized to participate in any primary election, caucus, or convention called or held by any political party for the nomination of candidates for election to said office, and the nomination of candidates for election as members of the board by the voters of the entire county is hereby prohibited."

Section 2. Section 13 of said Act No. 872 is amended to read as follows:

"The board shall employ a clerk, who shall devote his entire time to the duties of his office. The clerk shall receive such compensation for his services as may be determined and fixed by the board. The board may also employ such other clerical help and assistance as may be deemed necessary for the proper efficient and economical operation of the board. The clerk shall enter the minutes of all proceedings of the board in a well bound book provided for that purpose, which book shall be kept in the office of the board and shall be open to public inspection at all reasonable hours. The minutes of the meetings of the board shall be entered and recorded in the minute book within ten days from the adjournment of every regular or special meeting. The clerk shall have the minutes of each meeting reproduced within ten days after the meeting, and place a sufficient number of copies thereof in a conspicuous place in the office of the probate judge for public distribution, and shall also post a copy thereof in a conspicuous place in the courthouse and at three other public places in Clanton; and a copy thereof shall likewise be posted in at least three conspicuous places in each of the following municipalities: Maplesville, Thorsby, Verbena, and Jemison. The clerk shall present to the board at each regular meeting a list of all claims which have been filed against the county. He shall keep a complete record of all receipts and disbursements of county funds, and must be prepared at all times to show the exact financial condition of the county."

Section 3. Section 17 of said Act No. 872 is amended to read as follows:

"It shall be the duty of the county engineer to: 1) perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; 2) maintain the necessary accounting records to reflect the cost of the county highway system; 3) build or construct new roads, or change old roads when ordered to do so by proper order of the board; 4) construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines, insofar as that may be feasible. The county engineer shall also supervise and direct all such assistance, labor, and road hands as are necessary to maintain properly and construct the public roads, highways, bridges, and ferries of Chilton County, and he shall have authority to prescribe their duties; provided, the right of the county engineer to hire and fire employees shall be subject to the approval of the member of the board in whose district the person to be employed or discharged is assigned. Any member of the board shall have the right to discharge any employee within his district for cause, or when he is not needed."

Section 4. Section 28 of said Act No. 872 is amended to read as follows:

"It shall be the further duty of each associate member of the board to inspect the roads and bridges in his district from time to time, and to hear the suggestions and complaints of the citizens, and report the same to the board with his recommendations. The board member shall also advise with the county engineer concerning the progress of his district, particularly, and assist in securing rights-of-ways and assist in public relations generally. Any board member shall have the power and authority to hire or to fire those employees to be used in his district."

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1955.

R. M. TUCKER.

Sworn to and subscribed before me Aug. 18, 1955.

J. C. BURNETT.

Also:

By Mr. Speaks:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of Deputy Solicitor of Chilton County.

Section 2. The Deputy Solicitor hereby created shall be elected by the qualified electors of the County of Chilton at the General Election to be held for the election of State and County officers in November, 1958, and every four years thereafter, and shall hold office for a term of four years beginning on the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified.

Section 3. A vacancy in the office of such deputy solicitor shall be filled by appointment of the Circuit Solicitor of the Circuit in which Chilton County then is, and the appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Section 4. It shall be the duty of the deputy solicitor of Chilton County to represent the State of Alabama in all cases in the courts of the County, in all preliminary proceedings, applications for bail and habeas corpus and other criminal proceedings in said county requiring the services of a prosecuting attorney; to aid and act for the solicitor of the Circuit Court before the Grand Jury and in all matters of the Circuit Court, and in the absence of the Circuit Solicitor to perform all of his duties; also to attend coroner's inquest and examine witnesses and select such witnesses as in his judgment should be and appear before the Grand Jury or before the courts on preliminary hearing or habeas corpus, and when called upon to do so by the Commissioner's Court, or any governing body of said county, to represent the County of Chilton in all litigation in which it is engaged.

The Deputy Solicitor shall be clothed with all other powers and shall be charged with all duties now given or imposed upon the deputy solicitor of said Chilton County, Alabama, by any laws now in force or hereafter to be prescribed by law for deputy solicitors it being the intention of this Act that said Deputy Solicitor shall prosecute all cases in which the deputy solicitor is required to prosecute.

It shall be the further duty of the deputy solicitor of Chilton County to aid and assist the sheriff and any other law enforcement officers of Chilton County, when called upon, in making any preliminary investigations of any crime or crimes committed in the County: the School Attendance officer or officers in the investigation of violations of School Attendance Laws; to aid and assist the Public Welfare Director and assistants, when called upon by them; and in the absence of the Judge and Clerk of the Chilton County Law and Equity Court of Chilton County, Alabama shall have the power to take oaths in support of complainant and to issue warrants in all criminal cases provided that such warrants shall be made returnable to the Court having original jurisdiction of the offense charged.

Section 5. That the Deputy Solicitor for Chilton County, Alabama shall receive a salary not less than \$2,400.00 per annum, to be paid out of the general fund of said County in 12 equal installments.

Section 6. The sections of this Act and the parts of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, ineffective or unconstitutional shall not effect the other sections or parts thereof, it being now declared that the other parts or other sections would have been enacted regardless of any section or part of section which might be held unconstitutional, inoperative or ineffective.

Section 7. The Act of the Legislature creating the Office of County Solicitor of Chilton County, Alabama general and local law, regular session 1939 and special session 1939, Page 258 and local laws of the regular session 1949 Act to 209 is hereby repealed and said office is abolished. It is further provided that Lawrence F. Gerald, Jr., who was elected County Solicitor of Chilton County, Alabama, in November, 1954 and who took office the first Monday after the Second Tuesday in January, 1955, be appointed and serve as Deputy Solicitor until the first Monday after the second Tuesday in January, 1959, or until his successor is elected and qualified.

Section 8. All laws or parts of laws, both local and general, in conflict with the provisions of this Act are hereby repealed in so far as they relate to Chilton County.

Section 9. This Act shall go into effect upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1955.

R. M. TUCKER

Sworn to and subscribed before me Aug. 18, 1955.

J. C. BENNETT,
Notary Public.

Also:

By Messrs. McClendon and Hunt:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
COUNTY OF CHAMBERS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The clerk of the circuit court of Chambers County, Alabama, is hereby authorized and empowered to employ a deputy, if in his judgment that is necessary to the proper functioning of his office, such deputy to serve at the will and pleasure of the clerk, who shall fix his compensation at not less than fifteen hundred nor more than twenty-four hundred dollars per annum. The compensation of said deputy so appointed shall be paid out of the general fund of Chambers County, in equal monthly installments, on warrants drawn by the

court of county commissioners, board of revenue, or like governing body of the county.

Section 2. The deputy appointed by the circuit clerk shall have full power to transact all business of the clerk in his capacity as clerk and register of the circuit court, after first taking an oath to support the Constitution and laws of this State.

Section 3. Act No. 30, H. 160, approved June 27, 1947, which provided for a clerk in the office of the circuit clerk of Chambers County (Local Acts of 1947, p. 24), as amended by Act No. 279, H. 800, approved July 22, 1949 (Acts of 1949, p. 404) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

50-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1955.

BONNIE HAND.

Sworn to and subscribed before me August 18, 1955.

E. M. SCHUESSLER,
Notary Public, Chambers County,
Alabama.

Also:

By Mr. Oden:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the following local bill will be offered for passage in the present session of the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In any municipal election for the office of Mayor, held in the City of Russellville, Alabama, after the passage and approval of this Act, a majority of the votes cast in such election shall be a prerequisite to election of the Mayor.

Section 2. The City Council of the City of Russellville, Alabama, in canvassing the returns from a regular election in which there were two or more candidates for the office of Mayor, shall declare a candidate for said office elected, and shall issue to him a certificate only if he has received a majority of the votes cast for Mayor in such election. If, on canvassing the returns no candidate for the office of Mayor received a majority of the votes cast for Mayor, the Council shall certify that fact, and shall order a second or run-off election to be held, not later than seven days after the date of the holding of the first or regular election, for the election of a Mayor. The two candidates receiving the largest or highest number of votes for Mayor in the first or regular election shall be candidates for the office of Mayor in the second or run-off election. No other person shall be a candidate in said second or run-off election. In the event one of the candidates for Mayor in the second or run-off election withdraws from the race by filing a written declaration of withdrawal in the office of the Clerk of said City, no second or run-off election shall be held for that office and the remaining candidate shall then have been elected and shall receive a certificate of election signed by the City Council, or a majority of the members thereof.

Section 3. This Act shall become effective on its passage and approval, or otherwise becoming a law.

30—4

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Citizen-Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Citizen-Times for 4 consecutive weekly issues beginning with the issue of July 28, 1955 and ending with the issue of August 18, 1955.

Subscribed and sworn to before me, this the.....day of....., 195..... at Russellville, Alabama.

CLAUDE E. SPARKS.

KATHRYN R. WOOD,

Notary Public, Franklin County, Ala.

My commission expires April 2, 1958.

Also:

By Messrs. Brewer and Gilchrist:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County, are amended to read as follows:

"Section 1. The members of the Board of Revenue and Control of Morgan County, Alabama, shall each receive an annual salary of four thousand two hundred dollars (\$4,200.00), to be paid in equal monthly installments on the second Monday in each month, in addition to the mileage now allowed them by law for attending regular meetings of said board.

"Section 2. The chairman of the Board of Revenue and Control of Morgan County, Alabama, shall receive as compensation for his services an annual salary of six thousand two hundred dollars (\$6,200.00), to be paid in monthly installments on the second Monday in each month."

Section 2. This Act shall become effective upon the expiration of the terms of the incumbent members of the Board of Revenue and Control of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MORGAN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Gilchrist and Brewer:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of Seven Hundred Fifty Dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Morgan County, Alabama, is hereby authorized and directed to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to be paid as compensation to James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county leaving him permanently partially disabled.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Brewer and Gilchrist:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama, is amended to read as follows:

"The county superintendent of education of Morgan County, Alabama, shall receive a salary of six thousand five hundred dollars (\$6,500.00) per annum. Such salary shall be paid by the county board of education of Morgan County at the same time and in the same manner provided by general laws of this State for the payment of salaries of county superintendents of education."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent county superintendent of education of Mor-

gan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Gilchrist and Brewer:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register, is amended to read as follows:

"Section 1. The register of the circuit court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy register and a clerical assistant for such courts. The deputy register shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the register by whom the deputy register is appointed. The compensation of the deputy register and the clerical assistant shall be fixed by the register and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy register and the clerical assistant provided herein shall not exceed four thousand dollars (\$4,000.00) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—3—16

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Gilchrist and Brewer:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of

Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

"Section 1. The salary or compensation of the Tax Collector of Morgan County, Alabama, shall be five thousand two hundred dollars (\$5,200.00) per annum, and said annual salary shall be paid out of the county treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. Section 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

"Section 3. The Board of Revenue and Control or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax collector, but the tax collector shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed five thousand dollars (\$5,000.00) per annum. The tax collector shall have the right to discharge such clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body, of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax collector shall furnish all necessary reports,

registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of the clerks and assistants shall be paid in semimonthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax collector and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax collector from time to time as conditions may warrant, not to exceed, however, the said sum of five thousand dollars (\$5,000.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax collector of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2.

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August-9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Gilchrist and Brewer:

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation, is amended to read as follows:

"Section 1. The Board of Revenue and Control of Morgan County, Alabama, is hereby authorized and directed to provide the sheriff of the county with sufficient deputy sheriffs in addition to his chief deputy and jailers to enable him to properly perform the duties of his office. In no event shall the number of deputies be less than three in addition to the chief deputy. The Board of Revenue and Control shall fix the compensation of such additional deputies at not less than two hundred fifty dollars (\$250.00) per month and shall provide for the payment thereof out of the general fund of the county. The Board of Revenue and Control shall also fix the compensation of the jailers and shall provide for the payment thereof out of the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Brewer and Gilchrist:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk, is amended to read as follows:

"Section 1. The clerk of the circuit court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy clerk and a clerical assistant for such courts. The deputy clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the circuit clerk by whom the deputy clerk is appointed. The compensation of the deputy clerk and the clerical assistant shall be fixed by the circuit clerk and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy clerk and the clerical assistant provided herein shall not exceed four thousand dollars (\$4,000.00) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1

BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Gilchrist and Brewer:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The chief deputy sheriff of Morgan County, Alabama, shall receive a salary of three thousand six hundred dollars (\$3,600.00) per annum, payable in equal monthly installments out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator
2nd Senatorial District

ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16. 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Brewer and Gilchrist:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for

the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 17 of an Act of the Legislature of Alabama, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court,' as last amended."; be and the same is hereby amended so as to read as follows:

Section 17. All laws pertaining to costs, fees, allowances, commissions, and other compensation in cases in the Circuit Court, and criminal cases in the County Court, as provided by the general laws of this State, shall be applicable to said court, except as herein otherwise provided. A trial tax of Two Dollars is imposed in each case, criminal and civil, both at law and in equity, which is docketed in said court, to be taxed and collected as other costs in said court, and when collected to be paid into the county treasury for the benefit of the general fund.

Section 2. This Act shall be effective immediately upon its passage and approval, and shall be retroactive to July 7, 1947, and neither the Clerk nor Register of said court shall be required to pay to the State of Alabama or to Morgan County any percentage on monies collected for the State or for the County from which there was heretofore deducted a commission or percentage as allowed by the general laws to Clerks and Registers of the Circuit Court.

JOE CALVIN, State Senator
2nd Senatorial District
ALBERT P. BREWER,
Representative, Morgan County
Place No. 1
BOB GILCHRIST,
Representative, Morgan County
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MORGAN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Shumate and Selman:

H. 1025. To alter and extend the boundary line and corporate limits of the City of Cordova in Walker County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill will be introduced in substantially the following form, and the passage of the same will be attempted:

AN ACT

To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Cordova in Walker County, Alabama, are altered and extended to include therein and place within the corporate limits of said municipality all lands lying within the following described boundary lines.

Begin at the Southeast corner of Section 1, Township 15 South, Range 7 West, Walker County, Alabama; thence West along the South line of said Section for a distance of one-quarter mile; thence South to the South line of Section 12, Township 15, South, Range 7 West; thence East for a distance of three and one-fourth miles to the East line of Section 9, Township 15 South, Range 6 West; thence North to the point at which said East line of said Section intersects the Mulberry Fork of the Warrior River; thence North along the West bank of said Mulberry Fork of said river to the point where Cain Creek flows into the same; thence Northwesterly along the meanderings of said Cain Creek to the point where said creek intersects the West line of the SE $\frac{1}{4}$ Section 31, Township 14, South, Range 6 West; thence South to the South line of Section 6, Township 15 South, Range 6 West; thence West to the Southeast corner Section 1, Township 15 South, Range 7 West, the point of beginning.

Section 2. All laws in conflict herewith relating to the establishment of the corporate limits for the City of Cordova in Walker County, Alabama, are hereby repealed.

Section 3. This act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

ALONZO SHUMATE
T. K. SELMAN

7-28-5tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned she was Bookkeeper of the Mountain Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4, Aug. 11, and Aug. 18, all in the year 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 18, 1955.

FAY O'REAR,
Notary Public.

Also:

By Mr. Hodges:

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines of the Town of Ragland, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said town, all territory now within such corporate limits, and also other territory within St. Clair County, Alabama, described as follows:

Begin on the North right of way line of the Seaboard Airline Railway Company on the East line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 7, Township 15, Range 5 E; thence in a south westerly direction along the north line of the Seaboard Airline Railway Company right of way to the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 7, Township 15, Range 5 East; thence West along section line to the south west corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 12, Township 15, Range 5 East; thence North along the section line to a point where the west line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 12, Township 15, Range 4 East intersects the North line of the M. H. Acton line, being approximately 900 feet North of the south west corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 12, Township 15, Range 4 East; thence South 73 degrees 24' East, 967 feet more or less, and following the M. H. Acton line; thence North 66 degrees, 06' East 387.11 feet to the East line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 7, Township 15, Range 5 East; thence North 72 degrees—00' East to the North line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 7, Township 15, Range 5 East; thence East along the North line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, Township 15, Range 4 East, to the North East corner thereof; thence South along the half section line to point of beginning.

Also beginning 950.8 feet East of the North West corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 8, Township 15, Range 5 East; thence East along

section line to the north east corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 9, Township 15, Range 5 East; thence South along quarter section line to the south east corner of the North $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 9, Township 15, Range 5 East; thence West, and parallel to the half section line to the south west corner of the North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 8, Township 15, Range 5 East; thence continuing west 369.2 feet; thence North and parallel to the quarter section line 3300 feet to point of beginning.

Section 2. That the boundaries as set out in Section 1, of the Act, be and the same are hereby established as the corporate limits of the Town of Ragland, St. Clair County, Alabama, and all the territory included and embraced in said boundaries shall hereafter be and constitute the Town of Ragland, St. Clair County, Alabama.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NA June 30, July 7, 14, 21, 1955.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA,
ST. CLAIR COUNTY.

On this 1 day of August, 1955, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, Ethel Blair, who being duly sworn according to Law, declares that she is Bookkeeper of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/30 & 7/7-14-21. That a copy of said paper was furnished the of the Court.....

ETHEL BLAIR

Subscribed and sworn to before me, this 1 day of August, A. D., 1955.

LOUISE G. HULLETT,
Notary Public.

Also:

By Mr. Ferrell:

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA, DEKALB COUNTY.

Notice is hereby given that at the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the Board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the Board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The Board of Registrars in DeKalb County, Alabama, is hereby directed to purge all lists of the qualified electors in said county to the end that the names of all who are deceased or non-residents of DeKalb County or have otherwise become disqualified from voting therein shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

SECTION 2. The Board of Registrars in DeKalb County shall have authority to omit and remove from the lists of qualified electors in DeKalb County the name of any person who fails to reidentify himself to the Board of Registrars in one of the ways hereinafter provided. Any person removed from the lists of qualified electors as herein provided does not cease to be a qualified elector and shall not be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being entitled to be listed on the lists of qualified electors in such county.

SECTION 3. A voter may reidentify himself in any one of the following ways:

(a). He may reidentify himself by appearing in person at the office of the Board of Registrars and answering such questions and submitting such proof as may reasonably be required by the Board of Registrars or one of its duly authorized employees to establish his

identity and place of legal residence and that he has not become disqualified from voting in such County.

(b) He may also reidentify himself by filling in and mailing to the office of the Board of Registrars the completed answers to such questions as may reasonably be propounded and mailed to him in a written questionnaire by the Board of Registrars. Such Questionnaire may contain such questions as are reasonably necessary to establish the identity of the person signing such questionnaire and the place of his legal residence and that he has not become disqualified from voting in such county. All answers to such questionnaires shall be signed by the elector in the presence of at least two witnesses who are qualified electors of DeKalb County and who shall sign his answers as attesting witnesses.

SECTION 4. Any qualified elector in DeKalb County who shall have his name omitted or removed from the lists of qualified electors in DeKalb County by reason of his failure to reidentify himself as hereinabove provided or he otherwise purged therefrom shall be entitled to have his name restored to the lists of qualified electors by appearing in person and identifying himself in person at the office of the Board of Registrars or by answering in writing and signing a questionnaire prepared by the Board of Registrars, in the manner hereinabove provided.

SECTION 5. The Board of Registrars in DeKalb County shall meet as often as necessary subject to the approval of the governing body of DeKalb County, and on such dates as such Board may by order fix for the purpose of purging the lists of qualified electors of DeKalb County. Such Board may meet any number of days not exceeding thirty-five (35) per annum in excess of the maximum now provided by law for the purpose of purging such lists, and shall be entitled to the same per diem allowance, for meeting on such dates in excess of the maximum as now provided by law.

SECTION 6. Subject to the approval of the County Commission, Board of Revenue or other governing body in DeKalb County, the Board of Registrars shall have authority to employ such investigators as may be necessary to enable them to purge the voting lists. Any such employees shall be subject to the approval of the Board of Revenue or other governing body of DeKalb County.

SECTION 7. It shall be the duty of the Board of Registrars in DeKalb County to notify by mail each person whose name shall be removed from the lists of qualified electors, whether by purging or for failure of such elector to reidentify himself as herein provided at his last known address as shown by the records of such Board.

SECTION 8. Any person who makes a willfully false statement in answers to reidentification questionnaires or in response to reidentification questions put to him or her by the Board of Registrars or any of its employees shall be guilty of perjury and upon conviction, shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

SECTION 9. The Board of Registrars shall have complete and exclusive power and control over the operation of the office of the Board of Registrars in DeKalb County, and the Board of Registrars shall employ a Secretary, at not less than \$2,400.00 per annum and not more than \$3,600.00 per annum to be paid as may be determined by the Governing Body of DeKalb County, and all clerks and personnel of such Board, and the Board shall have the exclusive appointing authority of such secretary and personnel, all of whom shall serve at the

pleasure of the Board of Registrars; and the Board of Registrars shall have the exclusive control and supervision of all records pertaining to registration and voting in DeKalb County, Alabama; shall prepare and furnish ballots at all elections, lists of voters, and shall keep a list of all names of registered voters registered by precincts and shall publish such lists as may now be required by law, and at all elections shall furnish the inspectors with a list of all voters showing the names of the qualified electors authorized to vote in said election; shall perform all the duties in relation to any of the matters and things described in this Section which are now conferred upon the Board of Revenue or other governing body of DeKalb County except as otherwise provided in this Act, or upon the Judge of Probate of DeKalb County, or upon any other officer, and such duties are hereby divested from such governing body, Judge of Probate or other official and are hereby conferred upon the DeKalb County Board of Registrars, and all records pertaining to said matters are hereby transferred to the Board of Registrars. All operating expense of the DeKalb County Board of Registrars, including salaries of said secretary and other employees, shall be subject to the approval of the governing body of DeKalb County and shall be paid out of the general fund of said county, and no expense incurred by the Board of Registrars or its employees shall be charged against, or become a liability of the county unless authorized by the Board of Revenue or other governing body of the County. Payrolls and vouchers for the payment of said salaries and expenses shall be signed by the chairman of the Board of Registrars.

SECTION 10. For the purpose of carrying out the provisions of this Act, the Board of Registrars of DeKalb County may meet as often as may be necessary subject to the approval of the governing body of DeKalb County, in addition to the meeting days now permitted by law, but the expense of such additional meetings shall be paid by the Governing Body of DeKalb County on claims as may be filed by the Chairman of said Board as provided in this Act. Provided, however, the said Board shall not meet for more than 120 days during the year of 1955; and each year thereafter not more than 30 additional days to that already authorized by law. And shall be entitled to the same per diem allowance for meeting on such dates in excess of the maximum as now provided by law, and shall be paid out of the general fund of DeKalb County. Payroll vouchers for payment of said per diem shall be signed by the Chairman of the Board of Registrars, and verified by the members of the Board receiving such per diem, provided, however, no member of the Board of Registrars shall be paid for any day not actually served or attended by him on any meeting date provided in this Act.

SECTION 11. The DeKalb County Board of Revenue or other governing body of said County shall furnish to the Board of Registrars all the necessary supplies, and equipment and shall provide the said Board of Registrars with suitable cabinets to protect the records of the Board of Registrars, and shall provide the Board with adequate office space in the Court House, and all the records pertaining to the office of the Board of Registrars shall be open at all reasonable times to the public.

SECTION 12. Should any paragraph, section or part of this Act be held unconstitutional, it shall not affect any other portion, part, section or paragraph of said Act which would otherwise be valid.

SECTION 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
DEKALB COUNTY**

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal", which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON,

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 772, 1024, 1015, 1013, 1029, 1012, 1026, 1011, 1009, 1031, 1008, 1010, 1019, 1018, 1017, 1016, 1014, 1022, 1021, 1020, 1023, 1025, 1032 and 992. To the Committee on Local Legislation.

(The above Bill, H. B. 1012, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 316, the title of which is set out in the foregoing Message from the House:

SUBSTITUTE FOR S. B. 316**A BILL
TO BE ENTITLED
AN ACT**

To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds that the Blue and Gray Game played each year in the City of Montgomery advertises the State throughout the country, creates good will between the citizens of this State and the citizens of other States, and promotes the interests and welfare of the people of the whole State; therefore, the sum of thirteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated from any funds in the state treasury not otherwise appropriated for each year of the following biennium; thirteen thousand dollars for the fiscal year 1955-1956, and thirteen thousand dollars for the fiscal year 1956-1957, for the purpose of promoting and advertising Alabama through sponsorship of the Blue and Gray Football Game played in December in the City of Montgomery. The funds hereby appropriated shall be paid out of the Treasurer upon the requisition or order of the Blue and Gray Committee or the Montgomery Lions Club, when approved by the Governor. The appropriation herein made is conditional upon the condition of the treasury and the approval of the Governor.

Section 2. This Act shall become effective October 1, 1955.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Little	Skidmore
Boutwell	Eddins	Metcalf	Smith
Bradford	Engelhardt	Moses	Tate
Calvin	Flowers	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brannan:

H. 461. To provide for the accurate weighing of agricultural products by the State Department of Agriculture and Industries by authorizing the Commissioner of Agriculture and Industries to designate certain employees or agents of such department and others to perform work as weighmasters and to issue weight certificates upon being appointed as weighmasters; and to authorize the collection of fees and charges for weighing services furnished under the provisions of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 461. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Pirkle, Davis, Brown (Lamar), Burkhalter, Ramey, Branyon, Windle, Oden, Lee (Lawrence), Gregory, Adams, Money, Boyd, Franklin, McKay, Payne, Stokes and Grouby:

H. 769. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Also:

By Mr. Hawkins:

H. 879. To amend an Act approved July 10, 1940, entitled "An Act to provide for the distribution of the 1940 Code of Alabama, abridgments, editions or portions thereof; to provide for the conservation of sets distributed; to authorize the sale thereof and to provide an appropriation to carry out the purposes of this Act" (Act No. 650, S. 498, General Acts of Alabama, 1939, p. 1023).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 769. To the Committee on Agriculture.

H. B. 879. To the Committee on Finance and Taxation.

RESOLUTION

Mr. Cantrell offered the following Senate Joint Resolution, to-wit:

S. J. R. 77. Whereas, the progress of this State is closely tied in with and related to the progress of the schools and the educational system of the State in general, and

Whereas, the schools of this State can not grow, progress and meet the necessary educational needs of this State without the full and complete cooperation of agriculture, industry and labor, and,

Whereas, there is always a possibility of any tax proposal being defeated at the polls, and should the Goodwyn proposal be defeated, the schools will face an immediate crisis and it is necessary that thought be now given towards meeting such a crisis if it develops, now

THEREFORE BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the Governor of Alabama be requested to appoint a committee of 10 people, consisting of the president of the Alabama Farm Bureau Federation, the president of the Associated Industries of Alabama, one representative of organized labor, the State Superintendent of Education, three members of the Senate of Alabama and three members of the House of Representatives, with the Chairman of Senate Education Committee as Chairman of such committee.

2. That said committee shall be known as the Committee of the People for Education, and its duties shall be to meet, consider, study and make recommendations to the Governor of ways and means of meeting the needs of education in Alabama.

Be it further resolved that the members of the Senate and House of Representatives, while serving on such committee, shall receive the same per diem and expenses as they receive while the Legislature is in session, such monies to be paid out of the funds appropriated to defray the expenses of the Legislature.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate amendment to the bill, H. 211. Said report of said Conference Committee being in words and figures as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON THE DISAGREEMENT OF THE TWO HOUSES ON THE SENATE AMENDMENTS TO THE BILL, H. B. 211

We, the committee of conference on the disagreement of the two Houses on the amendments of the Senate to the bill, H. B. 211, have met and have agreed to the following report:

We recommend that the House recede from its disagreement to the amendment of the Senate designated as committee amendment No. 2 and agree to the amendment.

We recommend that the Senate recede from the amendment of the Senate designated as committee amendment No. 1, and that both Houses agree to the following amendment in lieu thereof:

Amend subsection 1 of Section 19 of the bill to read as follows:

"I. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursuant to Constitutional Amendment).....
4,400,000.00.

"Funds of the appropriation shall be transferred to the Alabama Building Commission for allocation and distribution to the presently

existing eleemosynary and/or to the presently existing educational institutions for capital outlay purposes."

We recommend that the Senate recede from the amendment of the Senate adopted on the motion of Mr. Calvin, and that both Houses agree to the following amendment in lieu thereof:

Amend Section 19 of the bill by adding Subsection J as follows:

"J. MINIMUM PROGRAM FUND, INSTITUTIONS OF HIGHER LEARNING AND TRADE SCHOOLS. Any surplus remaining in the state treasury to the credit of the Alabama Special Educational Trust Fund after the payment in full of all appropriations made payable from said fund during the fiscal year ending September 30, 1955, is hereby appropriated for the following uses and purposes:

"An amount equal to eighty-eight percent thereof shall be paid into the Minimum Program Fund, of which one-half shall be made available for expenditure during the fiscal year ending September 30, 1956, and the remaining one-half shall be made available for expenditure during the fiscal year ending September 30, 1957. Twelve percent of such appropriation shall be prorated in such manner that the allocation and distribution thereof to the institutions of higher learning and trade schools shall be in the proportion that the appropriations from the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1956, to each such institution of higher learning and trade school, including appropriations to the several divisions thereof, if any, shall bear to the total sum appropriated from the Alabama Special Educational Trust Fund to all such institutions of higher learning and trade schools, including appropriations to the several divisions thereof, if any, during the fiscal year ending September 30, 1956. Such surplus shall not be transferred to the Alabama Special Educational Trust Fund Surplus Account, nor to the Alabama State Building Commission or the Building Commission Fund, the provisions of Act No. 813, S. 22, approved September 19, 1953, or of any other law to the contrary notwithstanding."

Also, strike out Section 23 of said bill in its entirety, and substitute therefor the following:

"Section 23. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

Also, add the following sentence at the end of Section 22 of the bill:

"Act No. 813, S. 22, approved September 19, 1953, which is in conflict with Subsection J of Section 19 of this Act, is also expressly repealed."

JOE M. DAWKINS

D. W. WARD

W. L. MARTIN, JR.

Conferees on the part of the House

BROUGHTON LAMBERTH

GARET VAN ANTWERP

ALBERT BOUTWELL

Conferees on the part of the Senate

STATEMENT OF CONFEREES TO ACCOMPANY CONFERENCE
REPORT RELATIVE TO THE BILL, H. B. 211

The conferees on the part of the House at the conference on a disagreement between the two houses on the amendments of the Senate to the bill, H. B. 211, the educational appropriation bill, submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

AMENDMENT 1.

The first Senate amendment of the bill which the House is asked to agree to makes an additional \$50,000 available each year to the University of Alabama Medical Center for clinical psychology and psychiatry; it increases the appropriation for extension work for agriculture and home economics from \$865,000 to \$926,000, increases the appropriation to the Alabama Industrial School for Negroes from \$150,000 to \$200,000, and increases the appropriation to the State Training School for Girls from \$118,000 to \$120,000.

AMENDMENT 2.

Before amendment by the Senate, subsection I of Section 19 of the bill provided that all funds appropriated for debt service not needed by the School Bond Commission to pay principal and interest on outstanding bonds issued pursuant to the bond issue amendment, would be transferred to the Building Commission for allocation and distribution to presently existing educational and eleemosynary institutions for capital outlay purposes, such outlays to be made for facilities contiguous to the campus of the presently existing institution. The amendment which the two Houses are asked to agree to would require the allocation to be made to an existing institution, but eliminates the requirement that the allocation must be made for a facility contiguous to the campus of a presently existing institution. All the conferees, except Martin, recommend this. Martin dissents, and recommends that the Senate recede from its amendment, and that subsection I of Section 19 of the bill remain in the bill as it was passed by the House.

AMENDMENT 3.

All the conferees, except Dawkins and Boutwell, agreed to recommend that the House accept the Senate's amendment which appropriates the surplus remaining in the Special Educational Trust Fund at the close of the current fiscal year, 88% to the minimum program fund and the remainder to the institutions of higher learning and trade schools, one-half to be spent during each of the next two fiscal years. This amendment supersedes Act No. 813 of 1953, which provides that this surplus, which will amount to approximately \$4,000,000.00, shall be transferred to the Alabama Building Commission at the end of the current fiscal year.

Messrs. Boutwell and Dawkins dissent from this recommendation, and recommend that the Senate recede from its amendment, with the understanding that the bill, S. B. 131, known as the James bill, be amended so as to provide that this surplus, together with the windfall expected to arise in connection with the withholding of income taxes, could be used as a cushion to meet appropriations from the Alabama Special Educational Trust Fund in the event the Goodwyn income tax amendment is defeated.

JOE M. DAWKINS
D. W. WARD
W. L. MARTIN JR.
Conferees on the part of the
House

And said bill:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Van Antwerp, the Senate concurred in and adopted the foregoing report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 211, the title of which is set out in the foregoing Message from the House.

Yeas 31; Nays 4.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Roberts	Yarbrough (Randolph)

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Nays: Coleman, Eddins, Engelhardt and Tate

—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 41. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE

ON H. B. 41

We, your committee of conference appointed to reconcile the disagreement between the two Houses concerning H. B. 41, beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill, and that the attached substitute be adopted.

W. E. ODEN
JESSE BROWN
JIM A. THOMAS
Conferees on the part of the
House
RICHMOND M. FLOWERS
NEIL METCALF
ALBERT BOUTWELL
Conferees on the part of the
Senate

SUBSTITUTE FOR H. B. 41

A BILL TO BE ENTITLED AN ACT

Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Planning Board created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163), as now constituted, is abolished, and there is created and established the State Planning and Industrial Development Board in lieu thereof. The State Planning and Industrial Development Board shall consist of one member appointed by the Governor for each congressional district in the State; and the Governor, as chairman of the Board, the Commissioner of Agriculture and Industries, the Commissioner of Revenue, the State Highway Director, and the Director of State Docks, as members by virtue of their offices. When appointing members of the Board, the Governor shall select citizens who are outstanding in the fields of manufacture and processing, business and commercial enterprise, engineering and industrial development, natural resources, electric and gas utilities, industrial real estate and industrial property management, banking and finance, labor relations, and mass communications.

Before entering upon the discharge of their duties, the appointive members of the State Planning and Industrial Development Board shall take the oath of office prescribed for other state officers. The appointive members of the Board shall hold office only during the tenure of the Governor making the appointment, and until their successors are appointed and qualified. The Governor may remove any appointive member of the Board who fails to attend its meetings regularly or to perform properly his duties as a member of the Board, by notifying the member in writing of his removal. The appointive members of the Board shall be paid ten dollars (\$10) per day for each day they are engaged in the performance of their duties, and each such member shall be paid the actual and necessary expenses incurred in the performance of his duties

as a member of the Board when approved by the chairman; provided, however, that except upon the call of the Governor, members of the Board shall not be in session more than fifty days during any calendar year. Ex officio members of the Board shall receive no additional compensation for their services as members of the Board. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings, and upon request, furnish a copy thereof to each member of the Board. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 2. The Governor shall appoint a member to serve as vice-chairman of the Board. The Governor shall appoint a director, who shall be qualified by training and experience for the duties required of him. His term of office shall be at the pleasure of the Governor, and his compensation shall be fixed by the Board in an amount not to exceed ten thousand dollars (\$10,000) per annum. The director shall devote his entire time to his duties as director, and shall not, in a private capacity, perform any work or duties for, or accept any gifts or compensation from any county, city, or other governmental unit, or from any person, firm, or corporation, for services rendered while he is serving as director of the Board. Neither the Board nor the director shall employ any member of the Board in any capacity. The director shall serve as secretary of the Board and shall be custodian of its books, records, and papers, which he shall keep at the office of the Board, and he shall perform any and all functions and duties, and exercise any and all powers and authorities, that may be delegated to him by the Board. The director shall establish a division of local planning and such other divisions or units as may be necessary or convenient to the efficient and expeditious performance of the functions and duties of the Board. The division of local planning above referred to may enter into contractual arrangements with Alabama municipalities providing for technical planning services to assist each municipality in making and adopting a comprehensive municipal plan including such elements as a zoning plan and ordinance, subdivision regulations, a major street plan, a park and playground plan, an urban redevelopment plan and such related plans and studies as are necessary for a comprehensive municipal plan. The division of local planning is further empowered to enter into contracts with Federal agencies for the purpose of assisting Alabama municipalities to prepare comprehensive municipal plans. The division of local planning is also empowered to accept and expend money, grants-in-aid made available from any source, and to supplement Federal or local funds available for making local planning studies designed to produce a comprehensive municipal plan. The division of local planning is further empowered to enter into contracts with regional planning commissions in Alabama for the purpose of making a comprehensive plan for the region. The director may assign and re-assign functions and duties. All functions and duties of the Board shall be exercised by the director acting by and through such administrative divisions or units as he may determine, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the Board, and the orders, rules, and regulations of the Board, subject, however, to the jurisdiction and direction of the Board. The appointment of chiefs of divisions and all other employees and personnel of the Board shall be made by the director subject to the provisions of the Merit System

Act. The Board shall be provided with the necessary office space in the city of Montgomery or such other place as its needs may require.

Section 3. (a) The authority of the state planning board agency created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163) to carry on a planning program including the preparation of a State master plan, as well as the authority to provide an assistance program to counties and municipalities in the preparation of comprehensive physical plans for such counties and towns, is hereby confirmed and continued. There are hereby vested in the State Planning and Industrial Development Board all the functions, powers, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the State Planning Board and of the director thereof; and the functions of the State Planning Board and of the director thereof shall be exercised hereafter by the State Planning and Industrial Development Board and the director provided for in this Act.

(b) The authority of the State Bureau of Publicity and Information created by Act No. 712, Acts of Alabama, Regular Session, 1951, page 1250, to plan and conduct all state programs of information and publicity designed to attract tourists to the State of Alabama is hereby confirmed and continued. It is provided, however, that the director of the State Bureau of Publicity and Information shall cooperate to the fullest possible extent with the State Planning and Industrial Development Board toward the end that an integrated program of economic expansion and promotion may be pursued by the public agencies of this State.

(c) It is the purpose of this Act to impose responsibility for the administration of a comprehensive program of State planning and industrial development upon the State Planning and Industrial Development Board; and, to that end, the State Planning and Industrial Development Board, in addition to the foregoing powers, shall have the following authority:

- 1) To investigate and ascertain the industrial possibilities of the State and to seek to secure the development of the same.

- 2) To collect statistics in regard to industrial development in the State.

- 3) To make investigations as to any matter relative to industrial development and possibilities.

- 4) To cooperate in the fostering and development of the industrial interests of the State.

- 5) To cooperate especially in the promotion, establishment, and location of industries in the smaller municipalities and rural communities of the State which use as a raw material farm products of any character.

- 6) To cooperate with the state chamber of commerce, local chambers of commerce, and all local industrial boards to promote the purposes of this Act.

- 7) To aid, encourage, protect and promote existing industries and commercial enterprises of the State by any means deemed appropriate by the board.

- 8) To give technical research and advisory aids to existing industry and commerce in the State.

9) To advertise nationally the State industrial and commercial advantages.

10) To advocate advantages of location within the State to industrial and commercial prospects through personal contacts by traveling representatives, by furnishing specially prepared studies, by correspondence, printed material and other appropriate means.

11) To maintain a staff of experienced personnel capable of providing prompt informed cooperation to industry and commercial enterprise.

12) To provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas and electric power, taxes, wages and salaries and other basic locational data.

13) To conduct industrial and commercial prospects on field inspections of potential plant or commercial locations.

14) To assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs.

15) To counsel on new or additional industrial plant or commercial building construction.

16) To co-ordinate and present effectively the interest, resources and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects.

17) To bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs both within and without the State and to foster increase of employment opportunities within the State.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 41, the title of which and said Conference report are set out in the foregoing Message from the House.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Edwards (Escambia):

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 714. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Ashworth:

H. J. R. 75. WHEREAS, a Committee was appointed under the Authority of House Joint Resolution No. 8 of the first Special Session of 1955, to investigate certain matters relative to the Relative Responsibility Law as it affects patients at the Alabama Insane Hospital, and

WHEREAS in its report said Committee made known to this body that it needed some additional time to complete its investigation and to study this matter from time to time during the next two years.

THEREFORE BE IT RESOLVED BY THE HOUSE WITH THE SENATE CONCURRING that said Committee heretofore authorized under House Joint Resolution No. 8 of the First Special Session of 1955 is hereby continued in existence with the authority to meet not more than sixty days and make a full and complete report to the Legislature at its regular session in 1957.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 75, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 76. Whereas the city of Montgomery is the third largest city in the State, and serves an extensive trade area in central and south Alabama, and

Whereas there is no state vocational trade school located either in Montgomery or in the surrounding area, and

Whereas the central location of Montgomery would make any state vocational trade school established in that city conveniently accessible to the people of a large area of the State not now served by such a school; now therefore

Be it resolved by the House of Representatives, the Senate concurring: That the State Board of Education is requested to give the greatest possible consideration to the desirability and feasibility of locating and establishing in the city of Montgomery one of the additional state vocational trade schools provided for by an act of the 1955 regular session of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended, and the Resolution, H. J. R. 76, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Tyson, Murphy, and Simon:

H. 868. To regulate further the catching, taking, transporting, and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

Also:

By Mr. Harrison:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Also:

By Mr. Harrison:

H. 557. To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 868 and 806. To the Committee on Finance and Taxation.

H. B. 557. To the Committee on Public Health.

RECESS

At 12:41 P. M., on motion of Mr. Engelhardt, the Senate took a recess until 1:45 this afternoon.

AFTERNOON SESSION
THIRTY-FOURTH LEGISLATIVE DAY
FRIDAY, AUGUST 26, 1955

The Senate reassembled at 1:45 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:
Allen

Boutwell
Bradford

Calvin
Cantrell

Coleman
Cooper

Davis (Lowndes)	Goodwin	Metcalf	Skidmore
Davis (Pickens)	Grisham	Moses	Smith
Dyar	James	Newton	Tate
Eddins	Jones	Reeves	Van Antwerp
Engelhardt	Lamberth	Roberts	Vann
Flowers	Leonard	Robison	Yarbrough (Autauga)
Givhan	Little	Shelton	Yarbrough (Randolph)

—35

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

Also:

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

Also:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

Also:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

Also:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Thomas et al:

H. 506. To amend Section 3 of an Act entitled "An Act to regulate the handling, sale and distribution of Barbiturates" approved August 15, 1947 (General Acts of 1947, Page 179).

By Mr. Thomas et al:

H. 507. To amend Section 232 of Title 22 of the Code of Alabama of 1940, as amended:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Harrison:

H. 556. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 556. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Hawkins and Dawkins:

H. 814. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 814. To the Committee on Judiciary.

BILLS ON THIRD READING

The Bill:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

was taken up.

Mr. Roberts offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 366

Amend the bill by striking out the word "Governor" in the first sentence of Section 3, and substituting in lieu thereof the words "circuit solicitor of St. Clair County."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Skidmore
Allen	Dyar	Little	Tate
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Yarbrough (Autauga)
Coleman	James	Roberts	Yarbrough (Randolph)
Cooper	Jones		

—21

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Skidmore
Allen	Dyar	Little	Tate
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Yarbrough (Autauga)
Coleman	James	Roberts	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

S. 376. To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Metcalfe	Smith
Boutwell	Givhan	Newton	Tate
Calvin	Grisham	Roberts	Yarbrough (Autauga)
Cantrell	James	Robison	Yarbrough (Randolph)
Cooper	Lamberth		

—21

The Bill:

S. 359. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas:

Messrs.:	Dyar	Leonard	Robison
Allen	Engelhardt	Metcalfe	Shelton
Bradford	Flowers	Moses	Tate
Calvin	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Lamberth	Skidmore
Calvin	Eddins	Little	Tate
Cantrell	Flowers	Metcalfe	Van Antwerp
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham		

—21

The Bill:

S. 375. To provide for the selection and qualifications of the County superintendent of education of Geneva County, and for the filling of vacancies in that office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Smith
Boutwell	Engelhardt	Metcalf	Tate
Cantrell	Flowers	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James		

—21

The Bill:

S. 368. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Roberts
Boutwell	Dyar	Leonard	Shelton
Bradford	Flowers	Little	Tate
Calvin	Givhan	Moses	Vann
Cooper	Goodwin	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

S. 370. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Cantrell	Davis (Pickens)
Allen	Calvin	Cooper	Dyar

Eddins	Leonard	Roberts	Van Antwerp
Flowers	Little	Robison	Vann
Grisham	Metcalf	Skidmore	Yarbrough (Randolph)
Jones	Reeves		

—21

The Bill:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Metcalf	Skidmore
Bradford	Flowers	Moses	Smith
Calvin	Givhan	Newton	Vann
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Boutwell	Flowers	Moses	Smith
Calvin	Givhan	Newton	Tate
Cantrell	Goodwin	Reeves	Vann
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Coleman	Dyar
Allen	Cantrell	Davis (Lowndes)	Eddins

Engelhardt	Leonard	Newton	Tate
Givhan	Little	Roberts	Vann
Grisham	Metcalf	Smith	Yarbrough (Randolph)
Lamberth	Moses		

—21

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the Bill, S. B. 367, was indefinitely postponed by the Senate.

FURTHER CONSIDERATION OF S. R. 76

The Senate then proceeded to further consideration of the Resolution, S. R. 76, which said Resolution is set out at length in the Morning Journal of the Senate for today.

Mr. Davis (Pickens) then offered the following substitute for the Resolution, to-wit:

S. R. 76. Be it resolved by the Senate that upon the call of the calendar today the following shall be the special, paramount and continuing order of business, superseding all prior special orders:

H. Bill 377	Page 2
H. Bill 206	Page 86
H. Bill 617	Page 57
H. Bill 728	Page 63
H. Bill 470	Page 54

All Senate local bills in order.

All Senate Bills on Special order and regular order of business.

On motion of Mr. Robison, said substitute was laid on the table.

Yeas 24; Nays 11.

Yeas:

Messrs.:	Dyar	Little	Shelton
Allen	Flowers	Metcalf	Skidmore
Boutwell	Goodwin	Moses	Smith
Bradford	Grisham	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Vann
Cantrell	Leonard	Robison	Yarbrough (Randolph)
Cooper			

—24

Nays:

Messrs.:	Davis (Pickens)	Givhan	Newton
Coleman	Eddins	James	Tate
Davis (Lowndes)	Engelhardt	Jones	Yarbrough (Autauga)

—11

Mr. Robison offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR SENATE RESOLUTION 76

The following shall be the Special, paramount and continuing order of business for the Senate when bills on Third Readings are called:

H. B. 617	Page 57
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All Senate Bills in the order they appear on the calendar until the House adjourns.

H. B. 377	Page 2
H. B. 206	Page 86
H. B. 728	Page 63
H. B. 470	Page 54

House Local Bills

Further that this report shall supercede and take precedence over existing Special Order.

Mr. Metcalf moved that the substitute for the Resolution be laid on the table, which was lost.

Yeas 16; Nays 18.

Yeas:

Messrs.:	Grisham	Little	Shelton
Allen	Jones	Metcalf	Skidmore
Cantrell	Lamberth	Newton	Van Antwerp
Flowers	Leonard	Roberts	Vann
Goodwin			

—16

Nays:

Messrs.:	Davis (Lowndes)	Givhan	Smith
Bradford	Davis (Pickens)	James	Tate
Calvin	Dyar	Moses	Yarbrough (Autauga)
Coleman	Eddins	Reeves	Yarbrough (Randolph)
Cooper	Engelhardt	Robison	

—18

The question recurred on the substitute offered by Mr. Robison for the Resolution, which was adopted.

And said Resolution, S. R. 76, as thus amended by the substitute, was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 277. To amend Section 15 of the Act No. 703, approved September 5, 1951, p. 1211, which relates to payments after death for public assistance recipients.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—33

The Bill:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 617

**A BILL
TO BE ENTITLED
AN ACT**

To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$115,000,000 principal amount of general obligation bonds of the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

"The State is authorized to become indebted for school building purposes, and in evidence of the indebtedness so incurred to sell and issue, in addition to all other bonds of the State, interest bearing general obligation bonds of the State not exceeding \$100,000,000 in principal amount. The proceeds of all such bonds shall, after payment of the expenses of issuing same, be distributed as follows: Eighty-three and twenty-five hundredths per centum (83.25%) thereof shall be allocated and distributed to county and city school systems on an actual teacher unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; four per centum (4%) thereof shall be allocated and paid to the Board of Trustees of the University of Alabama; four per centum (4%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; four-tenths of one per centum (0.4%) thereof shall be allocated and paid to Alabama College; four and six-tenths per centum (4.6%) thereof shall be expended on the state institutions of higher learning under the State Board of Education including Alabama Agricultural and Mechanical College, Alabama State College, and State Teachers' Colleges; three per centum (3.00%) thereof shall be expended on trade schools. All of said proceeds so allocated and expended shall be used solely for the acquisition of school and college building sites, for the construction, reconstruction, alteration, and improvement of school and college building facilities, including renewal and replacement of structural parts, and for the procurement of equipment for school and college buildings. Seventy-five hundredths per centum (.75%) of the proceeds thereof shall be expended for the construction of mental health facilities, including clinics.

"The State is also authorized to become indebted, and in evidence of such indebtedness so incurred to issue and sell interest bearing general obligation bonds of the State, in addition to all other bonds authorized by law, in the principal amount of \$15,000,000, the proceeds of which shall be expended for the following purposes exclusively:

"\$3,000,000 for the medical center of the University of Alabama at Birmingham;

"\$3,000,000 for the construction of agricultural and veterinary science buildings at the Alabama Polytechnic Institute;

"\$2,470,000 for Partlow State School;

"\$3,500,000 for Bryce Hospital;

"\$870,000 for Search Hospital at Mt. Vernon;

"\$1,000,000 for the Alabama Institute for Deaf and Blind;

"\$100,000 for each of the state teachers' colleges, and the Alabama State College for Negroes;

"\$230,000 for the Industrial School for Negro Children;

"\$220,000 for the Alabama Boys' Industrial School;

"\$110,000 for the Agricultural and Mechanical Institute for Negroes;

"\$100,000 for the Alabama College at Montevallo.

"The Legislature shall adopt appropriate enabling legislation to carry out the intent of this constitutional amendment; and shall provide that all bonds issued under this amendment shall be sold only at public sale and none thereof shall be sold for less than the face value thereof.

"All bonds issued under this amendment shall be direct general obligations of the State of Alabama, and for the prompt and faithful payment of the principal thereof and interest thereon the full faith and credit of the State are hereby irrevocably pledged. In addition thereto, there is hereby specially and irrevocably pledged for payment of the principal of and interest on all bonds issued hereunder, pro rata and without priority of one bond over another, by reason of prior issuance or otherwise, so much as may be necessary for said purpose of that portion of the proceeds of all state taxes, except the income tax, that is required by law, at the effective date of this amendment, to be paid into the Alabama Special Educational Trust Fund. The pledge herein made shall create a charge on the tax proceeds herein specially pledged prior to all other charges or expenses for educational or any other purposes whatsoever. All bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the State of Alabama. The provisions of Section 261 of the Constitution of Alabama shall not be deemed to apply to the tax proceeds pledged herein nor to the proceeds from any bonds issued hereunder."

Section 2. An election upon the proposed amendment is hereby ordered to be held on the first Tuesday following the expiration of three months after the final adjournment of this Session of the Legislature of Alabama. At the said election the qualified electors shall vote on said proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama?", after which there shall be set forth verbatim the amendment proposed in Section 1 of this act, and after which there shall be printed the word "Yes" and immediately under that word there shall be printed the word "No". Space shall be provided on each ballot for the elector to indicate his choice by a cross mark opposite the word expressing his choice.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in a newspaper in each county in the State once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be posted at each court house therein. The expenses of the election shall

be paid out of the State Treasury. There is hereby appropriated out of the General Fund of the State such sum as may be necessary to defray the expenses of the election.

On motion of Mr. Boutwell, said substitute was then laid on the table.

Mr. Boutwell then offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 617

A BILL
TO BE ENTITLED
AN ACT

To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

"The State is authorized to become indebted for school building purposes, and in evidence of the indebtedness so incurred to sell and issue, in addition to all other bonds of the State, interest bearing general obligation bonds of the State not exceeding \$110,000,000 in principal amount. The proceeds of all such bonds shall, after payment of the expenses of issuing same, be distributed as follows: Seventy-six and nine-tenths per centum (76.9%) thereof shall be allocated and distributed to county and city school systems on a teacher unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to Alabama College; Five and nine-tenths per centum (5.9%) thereof shall be expended on the state institutions of higher learning under the State Board of Education, including Alabama Agricultural and Mechanical College, Alabama State College, and the State Teachers' Colleges; two and seven-tenths per centum (2.7%) thereof shall be expended on trade schools; five-tenths of one per centum (0.5) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama for the construction of facilities for mental health education; and nine-tenths of one per centum (0.9%) thereof shall be allocated and paid to the Alabama Institute for Deaf and Blind. All of said proceeds so allocated and expended shall be used solely for the acquisition of school and college building sites, for the construction, reconstruction, alteration, and improvement of school and college building facilities, including renewal and replacement of structural parts, and for the procurement of equipment for school and college buildings.

"The Legislature shall adopt appropriate enabling legislation to carry out the intent of this constitutional amendment; and shall provide that all bonds issued under this amendment shall be sold only at public sale and none thereof shall be sold for less than the face value thereof.

"All bonds issued under this amendment shall be direct general obligations of the State of Alabama, and for the prompt and faithful

payment of the principal thereof and interest thereon the full faith and credit of the State are hereby irrevocably pledged. In addition thereto, there is hereby specially and irrevocably pledged for payment of the principal of and interest in all bonds issued hereunder, pro rata and without priority of one bond over another, by reason of prior issuance or otherwise, so much as may be necessary for said purpose of that portion of the proceeds of all state taxes, except the income tax, that is required by law, at the effective date of this amendment, to be paid into the Alabama Special Educational Trust Fund. The pledge herein made shall create a charge on the tax proceeds herein specially pledged prior to all other charges or expenses for educational or any other purposes whatsoever.; All bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the State of Alabama. The provisions of Section 261 of the Constitution of Alabama shall not be deemed to apply to the tax proceeds pledged herein nor to the proceeds from any bonds issued hereunder."

Section 2. An election upon the proposed amendment is hereby ordered to be held on the first Tuesday following the expiration of three months after the final adjournment of this Session of the Legislature of Alabama. At the said election the qualified electors shall vote on said proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama?", after which there shall be set forth verbatim the amendment proposed in Section 1 of this act, and after which there shall be printed the word "Yes" and immediately under that word there shall be printed the word "No". Space shall be provided on each ballot for the elector to indicate his choice by a cross mark opposite the word expressing his choice.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in a newspaper in each county in the State once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be posted at each court house therein. The expenses of the election shall be paid out of the State Treasury. There is hereby appropriated out of the General Fund of the State such sum as may be necessary to defray the expenses of the election.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Goodwin	Moses	Tate
Cantrell	Grisham	Newton	Van Antwerp
Coleman	James	Reeves	Yarbrough (Autauga)
Cooper	Jones	Roberts	Yarbrough (Randolph)
Davis (Lowndes)			

—32

On motion of Mr. Boutwell, further consideration of the Bill, as amended by the substitute, was postponed until the next Legislative Day.

The Bill:

S. 311. To designate the first week in October of each year as "Employ The Physically Handicapped Week"; to create the Governor's

Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Was taken up.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of all Senate bills remaining on the Calendar was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions your signature thereto is requested.

H. J. R. 74. Relative to empowering the Clerk of the House to appoint an electrical roll call operator and an additional Assistant Clerk.

Also:

H. J. R. 76. Relative to the State Board of Education locating one of the additional state vocational trade schools in the City of Montgomery.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. deGraffenried:

H. 797. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 797. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. deGraffenried, Hare, Ashworth, Callahan, Fite, Haltom, Nice, and Simon:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1006. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Locke (Choctaw) and Locke (Perry):

H. 192. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 192. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hawkins and Davis:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act,

General Acts of Alabama 1939, Page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in Subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

Also:

By Messrs. Dawkins, Burkhalter and Law:

H. 347. To amend Section 40, Title 8, of the 1940 Code of Alabama pertaining to non-resident trip fishing licenses.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 688. To the Committee on Commerce and Common Carriers.

H. B. 347. To the Committee on Fish and Game.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor relative to Senate Bill 291.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1955.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 291, with a suggested executive amendment.

Amend said Senate Bill 291 by striking therefrom Section 2 in its entirety and substituting in lieu thereof Section 2 to read as follows:

"Section 2. Whenever this Act becomes operative in any county in this State an additional judgeship is hereby created for the circuit court of the circuit to which such county belongs. The incumbent of such additional judgeship shall be the judge of the domestic relations division of the circuit court of such county. He shall have and exercise all the jurisdiction, powers, rights and authority and possess all the qualifications, perform all the duties and be subject to the pains, obligations and

penalties that other circuit judges may have, exercise, perform and be subject to. If this act becomes effective in any county in this State more than six months before the next general election for any State officers the Governor shall appoint an additional judge for such circuit who shall hold office until the next general election for any state officers held at least six months after this act becomes effective in such county. At the first general election for state officers held at least six months after this act applies to a county, a judge shall be elected to fill the additional judgeship hereby authorized, who shall hold office until the next general election of circuit judges. At the first general election of circuit judges held after this act is operative in a county, and every six years thereafter, a judge shall be elected to fill such judgeship at the same election that other circuit judges are elected and such judge shall hold office for the same term as other circuit judges. Whenever the office of the additional judgeship hereby created is first filled, either by appointment or by election, the office of judge of the juvenile court of the county affected by this act is thereupon abolished, and thereafter the judge of the domestic relations division of the circuit court shall be ex officio the judge of the juvenile court of the county."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Van Antwerp, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. B. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

Which said proposed executive amendment is set out in the foregoing Message from the Governor.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reeves
Allen	Davis (Pickens)	Jones	Shelton
Boutwell	Eddins	Leonard	Smith
Calvin	Engelhardt	Moses	Van Antwerp
Cantrell	Flowers	Newton	Yarbrough (Randolph)
Coleman	Grisham		

—21

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reeves
Allen	Davis (Pickens)	Jones	Shelton
Boutwell	Eddins	Leonard	Smith
Calvin	Engelhardt	Moses	Van Antwerp
Cantrell	Flowers	Newton	Yarbrough (Randolph)
Coleman	Grisham		

—21

Which was a majority of the whole number elected to the Senate.

MOTION TO ADJOURN LOST

At 4:20 P. M., Mr. Cantrell moved that the Senate do now adjourn until Tuesday, August 30, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 24.

Yeas:

Messrs.:	Flowers	Lamberth	Roberts
Cantrell	Goodwin	Little	Skidmore
Dyar	Grisham		

—9

Nays:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Davis (Pickens)	Leonard	Shelton
Boutwell	Eddins	Metcalf	Smith
Bradford	Engelhardt	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Coleman	James	Reeves	Vann
Cooper			

—24

FURTHER CONSIDERATION OF S. B. 311

The Senate then proceeded to further consideration of the bill, S. B. 311.

MOTION TO ADJOURN LOST

At 5:21 P. M., Mr. Bradford moved that the Senate do now adjourn until Tuesday, August 30, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 13; Nays 19.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Grisham	Roberts	Van Antwerp
Bradford	Lamberth	Shelton	Yarbrough (Randolph)
Cantrell	Little		

—13

Nays:

Messrs.:	Davis (Lowndes)	James	Robison
Boutwell	Davis (Pickens)	Jones	Smith
Calvin	Eddins	Moses	Tate
Coleman	Engelhardt	Newton	Vann
Cooper	Givhan	Reeves	Yarbrough (Autauga)

—19

FURTHER CONSIDERATION OF S. B. 311

The Senate then proceeded to further consideration of the Bill, S. B. 311.

MOTION TO ADJOURN LOST

At 6:05 P. M., Mr. Roberts moved that the Senate do now adjourn until Tuesday, August 30, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Grisham	Roberts	Van Antwerp
Cantrell	Lamberth	Shelton	Yarbrough (Randolph)

—11

Nays:

Messrs.:	Davis (Lowndes)	James	Smith
Boutwell	Davis (Pickens)	Leonard	Tate
Calvin	Eddins	Moses	Vann
Coleman	Engelhardt	Newton	Yarbrough (Autauga)
Cooper	Givhan	Robison	

—18

FURTHER CONSIDERATION OF S. B. 311

On motion of Mr. Robison, further consideration of the Bill, S. B. 311, was indefinitely postponed by the Senate.

MOTION TO ADJOURN LOST

At 6:55 P. M., Mr. Cantrell moved that the Senate do now adjourn until Tuesday, August 30, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 19.

Yeas:

Messrs.:	Cantrell	Metcalf	Van Antwerp
Allen	Flowers	Roberts	Yarbrough (Randolph)
Bradford	Lamberth		

—9

Nays:

Messrs.:	Davis (Pickens)	Jones	Robison
Calvin	Eddins	Leonard	Smith
Coleman	Engelhardt	Moses	Tate
Cooper	Givhan	Newton	Vann
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)

—19

FURTHER CONSIDERATION OF S. J. R. 75

The Senate proceeded to further consideration of the Resolution:

S. J. R. 75. Relative to adjournment of the two Houses until Tuesday, August 30, to meet again Friday, September 2.

The question was on the following substitute for the Resolution offered by Mr. Robison:

S. J. R. 75. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 30, 1955.

Which was adopted.

And said Resolution, as thus amended by the substitute, was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act relating to counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Boutwell	Dyar	Leonard	Smith
Calvin	Eddins	Little	Tate
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	James	Roberts	

—21

The Bill:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Allen	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Moses	Smith
Cantrell	Givhan	Newton	Tate
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Coleman	Davis (Lowndes)
Allen	Bradford	Cooper	Dyar

Flowers	Lamberth	Roberts	Tate
Givhan	Metcalf	Robison	Van Antwerp
Grisham	Moses	Skidmore	Yarbrough (Randolph)
Jones	Reeves		

—21

The Bill:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Shelton
Bradford	Flowers	Little	Skidmore
Calvin	Givhan	Metcalf	Vann
Cooper	James	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 741. To alter and extend the boundaries of the City of Mountain Brook.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Newton	Skidmore
Calvin	Givhan	Reeves	Smith
Cantrell	Goodwin	Roberts	Van Antwerp
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Dyar	Goodwin
Boutwell	Cooper	Flowers	James
Bradford	Davis (Pickens)	Givhan	Little

Metcalf
Moses
Reeves

Robison
Shelton
Skidmore

Tate
Vann

Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Bradford
Calvin
Cooper
Davis (Lowndes)

Dyar
Eddins
Givhan
Grisham
James
Jones

Lamberth
Little
Metcalf
Moses
Reeves

Shelton
Skidmore
Smith
Van Antwerp
Yarbrough (Autauga)

—21

The Bill:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Bradford
Cantrell
Coleman
Cooper

Davis (Pickens)
Dyar
Eddins
Flowers
Grisham
James

Leonard
Little
Metcalf
Moses
Reeves

Robison
Shelton
Smith
Tate
Yarbrough (Autauga)

—21

The Bill:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Roberts
Allen	Dyar	Little	Skidmore
Bradford	Flowers	Metcalf	Smith
Calvin	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James		

—21

The Bill:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Skidmore
Allen	Dyar	Moses	Smith
Boutwell	Eddins	Newton	Tate
Cantrell	Givhan	Reeves	Vann
Coleman	Goodwin	Robison	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Boutwell	Engelhardt	Metcalf	Skidmore
Calvin	Flowers	Moses	Tate
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Tate
Calvin	Engelhardt	Moses	Vann
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Metcalf	Tate
Bradford	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Flowers	Little	Tate
Boutwell	Givhan	Metcalf	Vann
Cantrell	Grisham	Moses	Yarbrough (Autauga)
Coleman	Jones	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 881

At end of second sentence in section 4, insert the following:

"All alternate jurors shall be seated near the principal jurors with equal facilities for observing the proceedings in the trial, and shall attend the trial at all times in company with the principal jurors."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Smith
Boutwell	Engelhardt	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Smith
Boutwell	Engelhardt	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Shelton
Allen	Givhan	Moses	Smith
Bradford	James	Newton	Tate
Cantrell	Jones	Reeves	Van Antwerp
Davis (Pickens)	Lamberth	Robison	Yarbrough (Randolph)
Dyar	Leonard		

—21

The Bill:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Davis (Lowndes)	Engelhardt
Allen	Cantrell	Dyar	Givhan

James	Little	Robison	Tate
Jones	Moses	Shelton	Van Antwerp
Lamberth	Newton	Smith	Yarbrough (Randolph)
Leonard	Reeves		

—21

The Bill:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Skidmore
Allen	Dyar	Metcalf	Smith
Calvin	Engelhardt	Moses	Van Antwerp
Cantrell	Flowers	Newton	Yarbrough (Autauga)
Cooper	Givhan	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

The Bill:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Bradford	Eddins	Little	Smith
Cantrell	Engelhardt	Newton	Van Antwerp
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Bradford	Eddins	Little	Tate
Cantrell	Engelhardt	Newton	Vann
Cooper	Givhan	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Goodwin	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		

—21

The Bill:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Allen	Flowers	Metcalf	Tate
Boutwell	Givhan	Reeves	Van Antwerp
Bradford	James	Robison	Vann
Cantrell	Jones	Shelton	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Metcalf	Smith
Bradford	Givhan	Moses	Van Antwerp
Cantrell	Grisham	Roberts	Vann
Cooper	James		

—21

The Bill:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Little	Smith
Boutwell	Engelhardt	Moses	Tate
Bradford	Goodwin	Newton	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	Jones		

—21

The Bill:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Moses	Smith
Cantrell	Givhan	Newton	Tate
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Shelton
Allen	Engelhardt	Moses	Skidmore
Calvin	Givhan	Newton	Tate
Coleman	James	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Davis (Pickens)	Givhan
Allen	Cooper	Eddins	Grisham
Calvin	Davis (Lowndes)	Flowers	Jones

Lamberth	Metcalf	Shelton	Vann
Leonard	Reeves	Tate	Yarbrough (Randolph)
Little	Robison		

—21

The Bill:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Leonard	Shelton
Boutwell	Engelhardt	Little	Tate
Calvin	Flowers	Newton	Van Antwerp
Cantrell	Givhan	Reeves	Yarbrough (Randolph)
Coleman	Grisham		

—21

The Bill:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Allen	Engelhardt	Little	Shelton
Bradford	Flowers	Moses	Smith
Calvin	Givhan	Newton	Tate
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Reeves
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Smith
Calvin	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Cooper	Grisham		

—21

The Bill:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Shelton
Allen	Dyar	Leonard	Smith
Boutwell	Flowers	Little	Vann
Bradford	Givhan	Moses	Yarbrough (Autauga)
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Reeves
Boutwell	Dyar	Lamberth	Skidmore
Calvin	Eddins	Little	Tate
Cantrell	Flowers	Metcalf	Vann
Coleman	Givhan	Moses	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Shelton
Boutwell	Givhan	Moses	Smith
Calvin	Grisham	Newton	Tate
Cantrell	James	Roberts	Van Antwerp
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132,

entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Moses	Shelton
Boutwell	Flowers	Newton	Skidmore
Calvin	Givhan	Reeves	Smith
Cantrell	James	Roberts	Van Antwerp
Davis (Lowndes)	Little	Robison	Yarbrough (Randolph)
Dyar	Metcalf		

—21

The Bill:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Boutwell	Engelhardt	Moses	Tate
Calvin	Goodwin	Reeves	Vann
Cooper	Jones	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Lamberth	Shelton	Yarbrough (Randolph)
Dyar	Leonard		

—21

The Bill:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Eddins	Grisham
Boutwell	Davis (Lowndes)	Engelhardt	James
Calvin	Dyar	Goodwin	Lamberth

Little	Reeves	Tate	Yarbrough (Autauga)
Metcalf	Robison	Vann	Yarbrough (Randolph)
Newton	Skidmore		

—21

The Bill:

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Shelton
Boutwell	Davis (Pickens)	Leonard	Smith
Calvin	Dyar	Moses	Tate
Cantrell	Engelhardt	Newton	Vann
Coleman	Flowers	Robison	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Little	Skidmore
Calvin	Goodwin	Metcalf	Tate
Cantrell	Grisham	Newton	Van Antwerp
Cooper	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Eddins	James
Boutwell	Davis (Lowndes)	Givhan	Jones
Calvin	Dyar	Grisham	Lamberth

Little
Metcalf
Newton

Reeves
Shelton
Skidmore

Tate
Vann

Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay in to the County Treasury of such County, or Counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Calvin
Cantrell
Cooper
Davis (Pickens)

Engelhardt
Flowers
Goodwin
Grisham
Jones
Lamberth

Little
Metcalf
Moses
Reeves
Robison

Shelton
Skidmore
Smith
Tate
Van Antwerp

—21

The Bill:

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Calvin

Cantrell
Coleman
Cooper

Davis (Lowndes)
Dyar
Engelhardt

Flowers
Givhan
Grisham

Jones
Little
Moses

Newton
Reeves
Shelton

Skidmore
Tate

Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Calvin
Cantrell
Cooper
Davis (Lowndes)

Davis (Pickens)
Dyar
Eddins
Engelhardt
Grisham
James

Jones
Leonard
Metcalf
Moses
Newton

Robison
Skidmore
Van Antwerp
Vann
Yarbrough (Randolph)

—21

The Bill:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Calvin
Coleman
Davis (Lowndes)
Davis (Pickens)

Engelhardt
Dyar
Goodwin
Grisham
James
Jones

Lamberth
Little
Metcalf
Moses
Robison

Shelton
Tate
Van Antwerp
Vann
Yarbrough (Randolph)

—21

The Bill:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Calvin
Cantrell
Coleman
Cooper

Davis (Pickens)
Dyar
Eddins
Givhan
Goodwin
James

Jones
Little
Moses
Newton
Robison

Smith
Tate
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Metcalf	Skidmore
Boutwell	Goodwin	Newton	Tate
Calvin	James	Roberts	Van Antwerp
Cooper	Lamberth	Robison	Vann
Davis (Lowndes)	Leonard	Shelton	Yarbrough (Randolph)
Engelhardt	Little		

—21

The Bill:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Boutwell	Flowers	Leonard	Skidmore
Calvin	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Bradford	Eddins	Little	Skidmore
Calvin	Flowers	Moses	Smith
Cooper	Givhan	Newton	Van Antwerp
Davis (Lowndes)	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		

—21

The Bill:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 894

Amend H. B. 894 by reinstating Section 5 of said bill which was stricken from the bill by House amendment, and renumbering the sections as originally set out in the bill.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reeves
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Tate
Calvin	Engelhardt	Little	Vann
Cantrell	Givhan	Moses	Yarbrough (Randolph)
Coleman	Grisham		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reeves
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Tate
Calvin	Engelhardt	Little	Vann
Cantrell	Givhan	Moses	Yarbrough (Randolph)
Coleman	Grisham		

—21

The Bill:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Engelhardt	Little	Smith
Bradford	Givhan	Moses	Tate
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Robison
Allen	Dyar	Lamberth	Smith
Bradford	Engelhardt	Little	Tate
Cantrell	Flowers	Moses	Van Antwerp
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham		

—21

The Bill:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Reeves
Allen	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Tate
Calvin	Givhan	Moses	Van Antwerp
Coleman	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Coleman	James	Roberts	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Boutwell	Dyar	Lamberth	Shelton
Calvin	Engelhardt	Little	Tate
Coleman	Flowers	Moses	Vann
Cooper	Givhan	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

The Bill:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Boutwell	Jones	Little	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Little	Skidmore
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	James	Roberts	Vann
Davis (Pickens)	Jones		

—21

The Bill:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Lamberth	Shelton
Boutwell	Flowers	Little	Skidmore
Calvin	Goodwin	Metcalf	Smith
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Smith
Calvin	Engelhardt	Little	Tate
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Boutwell	Eddins	Little	Skidmore
Calvin	Engelhardt	Moses	Tate
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 968. To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Boutwell	Engelhardt	Lamberth	Smith
Calvin	Givhan	Little	Tate
Cantrell	Goodwin	Metcalf	Vann
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Smith
Boutwell	Eddins	Moses	Tate
Calvin	Engelhardt	Newton	Vann
Cantrell	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Shelton	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

The Bill:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Engelhardt	Grisham
Boutwell	Davis (Lowndes)	Flowers	James
Calvin	Davis (Pickens)	Goodwin	Jones

Lamberth	Reeves	Tate	Yarbrough (Autauga)
Little	Roberts	Vann	Yarbrough (Randolph)
Metcalf	Smith		

—21

The Bill:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Was read a third time at length and passed.*

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Van Antwerp
Calvin	Flowers	Moses	Vann
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Flowers	Leonard	Shelton
Boutwell	Givhan	Metcalf	Tate
Bradford	Grisham	Moses	Van Antwerp
Cantrell	James	Newton	Yarbrough (Autauga)
Cooper	Jones		

—21

The Bill:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Davis (Pickens)	Engelhardt
Allen	Coleman	Dyar	Flowers
Calvin	Cooper	Eddins	Givhan

Grisham
Lamberth
Leonard

Newton
Reeves
Robison

Shelton
Tate

Van Antwerp
Yarbrough (Autauga)

—21

The Bill:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.
was taken up.

Mr. Roberts offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 958

Amend Section 2 of the bill by adding the following words as subsection (c):

“(c) Judge of the County Court—sixty-six hundred dollars”

Also amend the bill by striking out Section 6 and inserting the following in lieu thereof:

“Section 6. Subsections (a) and (b) of Section 2 of this Act shall become effective on October 1, 1955. Subsection (c) of Section 2 of this Act shall become effective on the first Monday after the second Tuesday in January, 1957.”

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Cantrell
Coleman
Cooper

Davis (Pickens)
Dyar
Flowers
Givhan
Grisham
James

Lamberth
Little
Moses
Newton
Roberts

Shelton
Tate
Van Antwerp
Vann
Yarbrough (Randolph)

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Cantrell
Coleman
Cooper

Davis (Pickens)
Dyar
Flowers
Givhan
Grisham
James

Lamberth
Little
Moses
Newton
Roberts

Shelton
Tate
Van Antwerp
Vann
Yarbrough (Randolph)

—21

The Bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide

any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 963

Amend the caption of House Bill 963 by inserting immediately following the words and punctuation "has been, or shall be authorized;" where said words appear together in the fourth line of said caption the following words:

"To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive powers to establish, change, consolidate or alter election precincts in such county;"

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Shelton
Boutwell	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	James	Reeves	Vann
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—21

Mr. Boutwell also offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL 963

Also, amend Section 2 of said House Bill 963 by inserting immediately following the word and figure "Section 2" the following words:

"The election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Cooper	Dyar
Boutwell	Cantrell	Davis (Lowndes)	Eddins

Flowers	Leonard	Reeves	Smith
Givhan	Metcalf	Robison	Tate
Grisham	Moses	Shelton	Yarbrough (Autauga)
James	Newton		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Metcalf	Shelton
Boutwell	Flowers	Moses	Smith
Calvin	Givhan	Reeves	Tate
Coleman	James	Roberts	Vann
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Little		

—21

The Bill:

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Shelton
Allen	Dyar	Leonard	Smith
Boutwell	Eddins	Metcalf	Tate
Calvin	Engelhardt	Newton	Yarbrough (Autauga)
Cantrell	Goodwin	Robison	Yarbrough (Randolph)
Coleman	James		

—21

The Bill:

H. 976. To regulate the meetings of the county board of education of Lamar County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Little	Smith
Bradford	Eddins	Metcalf	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Goodwin	Roberts	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-

Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

was taken up.

The Standing Committee on Public Health offered the following amendment to the Bill, to-wit:

Amendment to Section 3, Line 13, of H. B. 377, following "was produced and handled."

Any person affected by any order or action of the Commissioner of Agriculture authorized by this Act, who deems himself aggrieved by any such order or action, may within 15 days after receiving notice of such order or action have such order or action reviewed by appeal to the Milk Control Board by filing with the Milk Control Board a verified petition setting out the specific order or action or any part or parts thereof whereby said person deems himself aggrieved and shall present to said

Board such additional testimony as shall be deemed necessary to support said grievance. Any person connected with any department whose order or action is being reviewed shall not be entitled to vote in the final order or action taken by the Milk Control Board. All such petitions shall be given preferred settings and shall be heard by the Board as speedily as possible. Any action taken by the Board on such petition shall be subject to review by appeal to the Circuit Court of the county wherein said order or action was made within 15 days after the entering of the order or action by filing with the Commissioner of Agriculture a written notice of appeal, and on such appeal, the trial shall be de novo and any decision of the Circuit Court may be appealed within the time and in the method prescribed by law. All actions and orders from which the aggrieved party seeks review by appeal, as authorized by this Act, as well as that prescribed by existing law, shall be stayed and suspended pending final hearing and final order or action.

To amend H. B. 377 by striking therefrom Section 5 and substituting therefor the following:

Section 5. AUTHORITY & DUTY OF THE COMMISSIONER: The Commissioner of Agriculture & Industries, inspectors or employees of the Department of Agriculture & Industries acting under the provisions of this Act shall have power and authority to enter upon any premises where milk is processed, bottled, collected, or cooled. Such power and authority shall also include authority to examine records of any milk processing establishment for the purpose of determining the origin or place of production of milk handled at such establishment to the end that it may be determined whether such milk is produced and handled in accordance with the requirements of this Act. All information received by the Commissioner of Agriculture and Industries or any employee, official, or agent of said Commissioner as a result of the examination of records of any milk process establishment shall be regarded and considered confidential and it shall be unlawful for any official, employee, or agent of the Commissioner of Agriculture and Industries to reveal any of said confidential information. It shall be unlawful for any person to resist, prevent, or refuse to allow the Commissioner of Agriculture & Industries, inspectors, or employees of the Department of Agriculture & Industries entrance or access to the premises as authorized hereunder or to otherwise interfere or prevent such official or employee from carrying out the provisions of this Act.

To amend H. B. 377 by striking therefrom Section 6 and substituting therefor the following:

Section 6. RULES AND REGULATIONS: The Commissioner of Agriculture and Industries with the approval of the State Board of Health is authorized to promulgate and adopt rules and regulations to effectuate the evident intent and purposes of this Act. Provided, however, that all rules or regulations promulgated hereunder shall be in writing and a copy of said rules and regulations shall be mailed to all persons, firms, partnerships, corporations or associations holding permits under this Act. No rule or regulation under the authority of this Act shall become effective prior to the expiration of 30 days from the date of its promulgation. Permits issued pursuant to this Act shall be issued on an annual basis and may be suspended or revoked by the Commissioner of Agriculture & Industries in conjunction with the State Board of Health for any good and sufficient cause after written notice of the cause has been given the permit holder.

To amend H. B. 377 by striking therefrom Section 3 and substituting therefor the following:

Section 3. MILK TRANSPORTED INTO ALABAMA: No milk shall be shipped or transported into the State of Alabama from another state

unless such milk is produced and handled under sanitary conditions no less adequate in protection of public health than milk produced in the State of Alabama and authority for shipping or transporting such milk into the State of Alabama must be authorized by permits as provided in Act No. 65, Legislature of 1955 (2nd Special Session). Any person authorized by a permit issued by the Health Department as authorized under Act No. 65, Legislature of 1955 (2nd Special Session) to ship or transport milk into the State of Alabama shall obtain a permit from the Commissioner of Agriculture and Industries, and the Commissioner of Agriculture and Industries must issue a permit to any person, firm, partnership, corporation or association holding a permit as provided in Act No. 65, Legislature of 1955 (2nd Special Session). Any milk shipped into the State of Alabama in violation of the provisions of this section or rules and regulations promulgated under this Act shall be suspended from sale, seized or condemned in accordance with the procedure set forth under Article 33, Title 2, Code of Alabama, 1940; provided however, that no milk shall be suspended from sale, seized, or condemned without the prior approval of the State Board of Health. The Commissioner of Agriculture and Industries is authorized and empowered to enter into reciprocal agreements with the commissioners, directors, or secretaries of agriculture of other states, which agreements must be in writing and which must be approved by the health departments of both states, whereby a procedure shall be adopted in order that the Commissioner of Agriculture and Industries in conjunction with the State Board of Health, may ascertain the sanitary conditions under which milk is produced in such other states, and such agreements may provide a method under which officials of other states may ascertain the sanitary conditions under which milk is produced in Alabama for shipment to other states.

To amend H. B. 377 by striking therefrom Section 2 thereof and substituting in lieu thereof the following:

Section 2. COOPERATION BETWEEN DEPARTMENTS. There shall be the fullest cooperation and in the making available information between the State Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of surveys, investigations, and inquiries to be made for the purpose of determining whether, or in what manner, the production, processing, and distribution of milk, cream, and milk products may affect the public health. Whenever the findings in the report of any survey, investigation, or inquiry made by the Department of Agriculture & Industries, the State Board of Health, or the Alabama State Milk Control Board show any hazard to public health existing incident to the production, processing, or distribution of milk, cream, or milk products, the State Board of Health shall take such action as may be necessary to remove such hazards. Provided, that nothing contained in this Act shall limit the authority of the State Board of Health to take immediate action when it appears necessary in the interest of public health. Provided, further, that nothing contained in this Act shall be construed to limit or affect the authority and jurisdiction conferred on the Alabama State Milk Control Board under the provisions of Chapter 7 of Title 22, Code of Alabama (1940) and any amendments thereto.

On motion of Mr. Flowers, said Committee amendment to the Bill, H. B. 377, was laid on the table.

Mr. Flowers then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 377

Amend Section 5 of H. B. 377 by inserting the words "except as hereinafter provided" between the word "State" and the word "to"

where the words "State to" appear together in the 7th line of said section.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	

—30

Mr. Flowers then offered the following amendment to the Bill, as amended, to-wit:

Amend H. B. 377 by striking therefrom Section 6 and substituting therefor the following:

Section 6. RULES AND REGULATIONS. The Commissioner of Agriculture and Industries, with the approval of the State Board of Agriculture and Industries, is authorized to promulgate and adopt rules and regulations to effectuate the evident intent and purposes of this Act. Provided, however, that all rules and regulations promulgated hereunder shall be in writing and said rules and regulations shall become effective thirty days after a copy of the same has been posted in the office of the Commissioner. The Commissioner shall mail a copy of all such rules and regulations to each holder of a permit issued hereunder addressed to such permit holder at his last known address. No rule or regulation under the authority of this Act shall become effective prior to the expiration of thirty days from the date of its promulgation and posting as aforesaid. Permits issued pursuant to this Act shall be issued on a semi-annual basis and may be suspended or revoked by the Commissioner of Agriculture and Industries for any good and sufficient cause.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	

—30

Mr. Flowers then offered the following amendment to the Bill, as amended, to-wit:

Amend H. B. 377 by inserting the following new section between Section 7 and Section 8:

Section 7A. The Commissioner shall issue to each person, firm, or corporation who at the effective date of this Act holds a permit issued under the authority of Act No. 65 of the Second Special Session of the

Legislature of 1955, a permit for a semi-annual period as authorized by this Act, upon the application of such person, firm, or corporation; and the Commissioner shall have no authority to revoke a permit so issued to any such person, firm, or corporation, until an inspection of the premises has been made by the Commissioner or by an employee of the Department of Agriculture and Industries. Revocation must be in writing and no permit shall be revoked except for violations of rules and regulations promulgated under the provisions of this Act. Any revocation of a permit shall not become effective until three days after the order of revocation has been delivered to the permit holder. Delivery of the notice may be made by registered or certified mail as provided by law for service in equity cases.

No milk in transit can be stopped, seized, or condemned by the Commissioner unless said milk has been produced, processed, or delivered by a person, firm, or corporation who does not hold a permit under the provisions of this Act or by a licensee under this Act whose permit has been previously revoked for cause.

Any person affected by any order or action of the Commissioner of Agriculture authorized by this Act, who deems himself aggrieved by any such order or action, may within 15 days after receiving notice of such order or action have such order or action reviewed by appeal to the Circuit Court of Montgomery County, Alabama, by filing a petition setting out the specific order or action or any part thereof whereby said person deems himself aggrieved and shall present to said Court such testimony as shall be deemed necessary to support such grievance. All such petitions shall be given preferred settings and shall be heard by the Court as speedily as possible. The appeal shall be perfected upon posting of a bond for costs of the appeal, accompanied by the petition. Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	

—30

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	

—30

The Bill:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Metcalf	Smith
Coleman	Givhan	Moses	Tate
Cooper	Grisham	Reeves	Van Antwerp
Davis (Lowndes)	James	Roberts	Vann
Davis (Pickens)	Jones	Robison	

—26

The Bill:

H. 812. To amend Code of Alabama, Title 51, Section 606.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engelhardt	Lamberth	Robison
Boutwell	Flowers	Leonard	Shelton
Bradford	Givhan	Metcalf	Skidmore
Coleman	Grisham	Moses	Smith
Cooper	James	Reeves	Tate
Davis (Pickens)	Jones	Roberts	Van Antwerp
Eddins			

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The Bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was taken up.

**REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Fourth Legislative Day and finds same correct and containing all original entries and reference thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Fourth Legislative Day was approved by the Senate.

ADJOURNMENT

At 11:30 P. M., on motion of Mr. Jones, pending further consideration of H. B. 206, the Senate adjourned until Tuesday, August 30, 1955, at 10 o'clock, A. M.

THIRTY-FIFTH LEGISLATIVE DAY
TUESDAY, AUGUST 30, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend J. Russell Boggs, Pastor, Our Redeemer Lutheran Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Dawkins:

H. 814. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the Governor's Committee for the employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

By Messrs. deGaffenried et al:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

By Mr. Harrison:

H. 556. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in

lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

By Messrs. Selman and Shumate:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edwards (Escambia):

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

By Mr. Harrison:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

By Messrs. Tyson, Murphy and Simon:

H. 868. To regulate further the catching, taking, transporting, and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

By Messrs. Hawkins and Dawkins:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

By Messrs. Locke (Choctaw) and Locke (Perry):

H. 192. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county

mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Edwards (Jefferson) et al (With notice and proof):

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

By Messrs. Oakley and Nettles:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

By Mr. Ferrell (With notice and proof):

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any persons making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

By Messrs. McClendon and Hunt (With notice and proof):

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compen-

sation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

By Mr. Speaks (With notice and proof):

H. 1009. Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

By Mr. Oden (With notice and proof):

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

By Mr. Stembridge (With notice and proof):

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Brown (Lamar) and Fite (With amendment):

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

The above Bill was read a second time at length as required by the Constitution.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or

salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of seven hundred fifty dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

By Messrs. Perry et al (with notice and proof):

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

By Messrs. Shumate and Selman (with notice and proof):

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

By Messrs. Nettles and Oakley (with notice and proof):

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

By Mr. Speaks (with notice and proof):

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

By Mr. Hodges (with notice and proof):

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Mr. Newton, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Davis:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in subsection A (3), of Section 2 of said Act, *supra*, relating to motor

vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brannan:

H. 461. To provide for the accurate weighing of agricultural products by the State Department of Agriculture and Industries by authorizing the Commissioner of Agriculture and Industries to designate certain employees or agents of such department and others to perform work as weighmasters and to issue weight certificates upon being appointed as weighmasters; and to authorize the collection of fees and charges for weighing services furnished under the provisions of this Act.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. deGraffenried:

H. 797. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

By Mr. Harrison:

H. 557. To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Money et al:

H. 255. To provide further for acquiring rights of way for state roads.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fite and Martin (with amendment):

H. 452. To authorize and provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of controlled-access facilities; defining such terms; provid-

ing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fite et al:

H. 675. To amend Section 47, of Title 36, Code of Alabama 1940:

RESOLUTIONS

Mr. Allen offered the following Senate Resolution, to-wit:

S. R. 78. Be It Resolved by the Senate of Alabama that the House of Representatives is requested to return the bill, H. B. 954, which has passed the Senate, to the Senate for further consideration.

And on motion of Mr. Allen, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business of yesterday, the first of which was the Bill:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

As amended by the substitute offered by Mr. Boutwell, which said substitute is set out at length in the Journal of the Senate for the Thirty-Fourth Legislative Day.

And said Bill, as thus amended by the substitute, was then read a third time at length, as required by the Constitution, and passed.

Yeas 32; Nay 1.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Coleman	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)
Davis (Pickens)			

—32

Nay: Mr. Tate.

—1

The Senate proceeded to further consideration of the Bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

FINANCE AND TAXATION SUBSTITUTE FOR H. B. 206

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries, equipment purchases and additions and betterments and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which has an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes; (d) "additions and betterments" shall mean lands and buildings and the construction and alteration of structures and improvements thereto, improvements to land, sewer, water, shelter, support, storage, protection or the improvement of a natural condition, and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1956 and September 30, 1957, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor.

FROM THE GENERAL FUND

I. EXECUTIVE:

The Governor's Office:

For the salary of the Governor	\$ 12,000.00
For the salary of the Legal Counsel	9,000.00
For other salaries	75,700.00
For other expenses	16,650.00

Total	113,350.00
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For the Governor's Emergency Fund—To be expended at the direction of the Governor	100,000.00
For the Mansion Fund	60,000.00

II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1956, and for the salaries and expenses of the Legislature for extraordinary sessions	300,000.00
For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative ses- sions for the fiscal year ending Septem- ber 30, 1957	1,000,000.00
For printing of Legislative Acts and Jour- nals for the fiscal year ending Septem- ber 30, 1956, estimated	75,000.00

III. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices	84,000.00
For the salary of the Clerk of the Court	6,000.00
For the salary of the Court Reporter.....	6,000.00
For other salaries	88,080.00
For other expenses	13,540.00
For equipment purchases	6,000.00
Total	203,620.00
For the Supreme Court Library Fund.....	10,000.00
For cataloging the Supreme Court Library	7,500.00

(2) THE COURT OF APPEALS:

For salaries of the three judges.....	34,500.00
For other salaries	31,200.00
For other expenses	4,162.50
For equipment purchases	500.00
Total	70,362.50

(3) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated	484,500.00
For travel expenses of circuit judges.....	7,500.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges	10,000.00
For the salaries and travel expenses of special judges, estimated	4,000.00

For salaries of thirty-three circuit solicitors	231,000.00	
For salary of the elected deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	6,000.00	
For the salary of the appointed assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the first deputy solicitor of the Birmingham Division of the 10th Judicial Circuit.....	5,700.00	
For the salaries of the second and third deputy solicitors of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the fourth, fifth and sixth deputy solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	12,000.00	
For the salary of the deputy circuit solicitor of the 6th Judicial Circuit.....	4,500.00	
For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit...	10,800.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit	7,800.00	
For the salary of the deputy circuit solicitors of the 16th Judicial Circuit	6,000.00	
For the salary of the deputy circuit solicitor of the 23rd Judicial Circuit	4,200.00	
Total		309,200.00
For the travel expenses of circuit solicitors	6,000.00	
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants	20,000.00	
For salary of supernumerary circuit solicitors, estimated	8,000.00	
(4) COURT REPORTERS:		
For the compensation of the circuit court reporters, estimated	87,600.00	
(5) SUPERNUMERARY JUDGES:		
For salaries of supernumerary judges, estimated	40,000.00	

(6) SUPERNUMERARY JUSTICES:

For expenses of supernumerary Justices of Supreme Court	3,600.00
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IV. CONSTITUTIONAL OFFICES:

(1) OFFICE OF THE ATTORNEY GENERAL:

For the fiscal year ending September
30, 1956:

For the salary of the Attorney General	10,000.00
For other salaries	151,900.00
For other expenses	33,100.00
For equipment purchases	3,550.00

Total	198,550.00
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For the fiscal year ending September
30, 1957:

For the salary of the Attorney General	10,000.00
For other salaries	151,900.00
For other expenses	33,100.00
For equipment purchases	2,750.00

Total	197,750.00
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(2) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor	6,000.00
For other salaries	25,325.00
For other expenses	2,250.00
For equipment purchases	500.00

Total	33,725.00
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(3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State	6,000.00
For other salaries	20,725.00
For other expenses	6,000.00
For equipment purchases	1,000.00

Total	33,725.00
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(4) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September
30, 1956:

For the salary of the State Treasurer	6,000.00
For other salaries	66,826.00
For other expenses and compensation of fiscal agents	19,450.00
For equipment purchases	12,724.00
Total	105,000.00

For the fiscal year ending September
30, 1957:

For the salary of the State Treasurer	6,000.00
For other salaries	67,836.00

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For other expenses and compensation of fiscal agents	19,664.00	
For equipment purchases	500.00	
Total		94,000.00

V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) DEPARTMENT OF ARCHIVES AND HISTORY:

For the salary of the Director	7,500.00	
For other salaries	50,500.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For expenses of publication of the Alabama Historical Quarterly	3,000.00	
Total		70,000.00
For expenses of printing Statistical Register for the fiscal year ending September 30, 1956		5,000.00

(1-A) PUBLIC LIBRARY SERVICE DIVISION:

For salaries	35,000.00	
For other expenses	11,000.00	
For books and pamphlets	67,000.00	
For equipment purchases	2,000.00	
Total		115,000.00

(2) BUILDING COMMISSION:

For salaries, other expenses and equipment purchases (For expenditure pursuant to Act No. 128, 1945 Regular Session, as amended)		50,000.00
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(3) DEPARTMENT OF CIVIL DEFENSE:

For the salary of the Director	9,000.00	
For other salaries	20,000.00	
For other expenses	10,000.00	
For equipment purchases	1,000.00	
Total		40,000.00

(4) DEPARTMENT OF COMMERCE:

For the salary of the Director	10,000.00	
For other salaries	102,000.00	
For other expenses	35,000.00	
For equipment purchases	3,000.00	
Total		150,000.00

(5) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1956:		
For the salary of the Chief Examiner ..	10,000.00	
For other salaries	388,500.00	

For other expenses	138,500.00	
For equipment purchases	3,000.00	
Total		540,000.00

For the fiscal year ending September
30, 1957:

For the salary of the Chief Examiner ..	10,000.00	
For other salaries	392,000.00	
For other expenses	130,500.00	
For equipment purchases	7,500.00	
Total		540,000.00

(6) DEPARTMENT OF FINANCE:

Director's Office:

For the salary of the Director	10,000.00	
For other salaries	21,300.00	
For other expenses	6,937.50	
For equipment purchases	6,600.00	
Total		44,837.50

Division of the Budget:

For salaries	28,716.00	
For other expenses	5,000.00	
For equipment purchases	4,000.00	
Total		37,716.00

Division of Control and Accounts:

For salaries	98,628.00	
For other expenses	39,543.00	
For equipment purchases	3,500.00	
Total		141,671.00

Legal Division:

For salaries, other expenses and equip- ment purchases		15,470.00
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Division of Purchases and Stores:

For salaries	61,624.00	
For other expenses	9,000.00	
For equipment purchases	1,000.00	
Total		71,624.00

Division of Service:

For salaries	150,000.00	
For other expenses	130,000.00	
For equipment purchases	10,000.00	
Total		290,000.00

For equipment purchases in the State Offices for the Executive, Admini- strative and Judicial Departments..		10,000.00
Total		611,318.50

(7) DEPARTMENT OF HEALTH:

(a) For General Health Work:

For the salary of the State Health Officer	10,000.00	
For other salaries	475,000.00	
For other expenses	115,000.00	
Total		600,000.00

(b) For study and treatment of cancer... 100,000.00

(c) For contributions to County Health Units 375,000.00

(d) For Hospital Planning:

For salaries	22,000.00	
For other expenses	4,000.00	
Total		26,000.00

(e) For Mental Hygiene:

For salaries	16,800.00	
For other expenses	13,200.00	
Total		30,000.00

(f) For Mental Health:

For Mental Health Clinic for north-east Alabama located in Etowah County 7,000.00

University of Alabama Medical School for instruction in clinical psychology and psychiatry... 18,000.00

(g) For Pollution Control:

For salaries	32,500.00	
For other expenses	14,900.00	
For equipment purchases	2,600.00	
Total		50,000.00

(h) For the Administration of Tuberculosis Hospitals:

For salaries	14,000.00	
For other expenses	8,500.00	
Total		22,500.00

(i) For subsidy to counties for treatment of tuberculosis 1,971,000.00

(j) For Tuberculosis Testing:

For salaries	37,500.00	
For other expenses	32,500.00	
For equipment purchases	30,000.00	
Total		100,000.00

(k) For Venereal Disease Control:

For salaries	30,000.00	
For other expenses	20,000.00	
Total		50,000.00
Total		3,349,500.00

(8) INDUSTRIAL DEVELOPMENT BOARD:

For salary of Director	10,000.00	
For salaries	102,980.00	
For other expenses	30,600.00	
For equipment purchases	22,500.00	
Total		166,080.00

(9) DEPARTMENT OF INDUSTRIAL RELATIONS:

For salaries	115,000.00	
For other expenses	34,500.00	
For equipment purchases	500.00	
Total		150,000.00

(10) DEPARTMENT OF INSURANCE:

For the fiscal year ending September 30, 1956:

For the salary of the Director	7,500.00	
For other salaries	89,500.00	
For other expenses	40,000.00	
For equipment purchases	3,000.00	
Total		140,000.00

For the fiscal year ending September 30, 1957:

For the Salary of Director	7,500.00	
For other salaries	104,500.00	
For other expenses	45,000.00	
For equipment purchases	3,000.00	
Total		160,000.00

(11) STATE LABOR DEPARTMENT:

For the fiscal year ending September 30, 1956:

For the salary of the Director	9,000.00	
For other salaries	30,428.00	
For other expenses	13,612.00	
For equipment purchases	1,960.00	
Total		55,000.00

For the fiscal year ending September 30, 1957:

For the salary of the Director	9,000.00	
For other salaries	30,428.00	

For other expenses	13,072.00
For equipment purchases	2,500.00

Total	55,000.00
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(12) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September
30, 1956:

For the salary of the Director	9,000.00
For other salaries	32,304.00
For other expenses	3,996.00
For equipment purchases	1,200.00

Total	46,500.00
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For the fiscal year ending September
30, 1957:

For the salary of the Director	9,000.00
For other salaries	33,004.00
For other expenses	3,996.00
For equipment purchases	500.00

Total	46,500.00
For Legislative Council	3,100.00

(13) MILITARY DEPARTMENT:

For the salary of the Adjutant General.....	7,500.00
For other salaries	140,000.00
For other expenses	30,000.00
For equipment purchases	5,000.00
For Quarterly Allowances	203,000.00

For transfer to the Armory Commission for care and maintenance of ar- mories	300,000.00
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For Active Military Service - Regular.....	40,000.00
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(For pay and allowances of Federally recognized Commissioned Officers, Warrant Officers and enlisted personnel of the Active National Guard only, when on Active Military Service as defined in Title 35, Section 39 of the Code of Alabama 1940. This is the total amount of expenditure contemplated in Title 35, Section 117 of the Code of Alabama 1940 as amended and shall be the total amount expended therefor, provided however, that no officer or employee of the State Military Department may draw any pay or allowances from this fund for active duty except as provided in the succeeding, it is further provided that when the Active National Guard and its Federally recognized officers are called into the Active Military Service of the State for the enforcement of the law, the preservation of the peace, or for the security of the rights and lives of citizens or protection of property in aid and relief

of our citizens in disaster, or any similar duty, or any other service that the Governor may for specific reasons so designate, when proclaimed by the Governor as constituting a state of emergency, shall be deemed to be in the Active Military Service of the State, and such amount as is necessary for this service is hereby appropriated.

For Active Military Service - State Militia

10,000.00

(For pay and allowances of officers, Warrant Officers and enlisted Personnel of the State Militia excluding Federally recognized officers, Warrant Officers, and enlisted personnel of the Active National Guard while serving in the Active Military Service of the State for the purpose of enforcing the law, preservation of the peace, for the security of lives of citizens, for aid and relief of our citizens in case of disaster, for the protection of property and for such other purposes as the Governor may, for specific reasons, designate as in the Active Military Service of the State, when ordered to active duty under a proclamation of a state of emergency by the Governor under the provisions of Title 35, Section 54, Code of Alabama 1940. This is the appropriation contemplated in Section 185, Title 35, Code of Alabama 1940 and shall be the maximum amount expended therefor.)

Total

735,500.00

For other salaries, conditional upon the condition of the treasury and with the approval of the Governor

40,000.00

For other expenses, conditional upon the condition of the treasury and with the approval of the Governor...

25,000.00

For Active Military Service - Regular, conditional upon the condition of the treasury and with the approval of the Governor

25,000.00

Total Conditional

90,000.00

(14) PERSONNEL DEPARTMENT:

For transfer to the Personnel Department:

For the fiscal year ending September 30, 1956

18,117.00

For the fiscal year ending September 30, 1957

18,611.00

(15) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September
30, 1956:

For the salary of the Director	10,000.00	
For other salaries	1,850,000.00	
For other expenses	659,750.00	
For equipment purchases	150,000.00	
Total		2,669,750.00

For the fiscal year ending September
30, 1957:

For the salary of the Director	10,000.00	
For other salaries	1,875,000.00	
For other expenses	659,750.00	
For equipment purchases	150,000.00	
Total		2,694,750.00

(16) DEPARTMENT OF PUBLIC WELFARE:

For transfer to Department of Public
Welfare for the support, mainten-
ance and operation of the functions
of Public Welfare:

For the fiscal year ending September 30th, 1956	3,700,000.00
For the fiscal year ending September 30th, 1957	3,650,000.00
Conditional upon the condition of the Treasury and with the approval of the Governor	3,000,000.00

It is provided that not more than twenty-seven and one-half percentum of the appropriations hereinabove made shall be allotted in any one quarter of a fiscal year.

(17) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	14,520.00	
For other expenses	14,400.00	
For equipment purchases	5,000.00	
For tourist advertising	50,000.00	
Total		83,920.00

(18) STATE PLANNING BOARD:

For salaries	33,000.00	
For other expenses	17,000.00	
Total		50,000.00

(19) DEPARTMENT OF REVENUE:

For salaries, operation and mainten-
ance expense:

For the fiscal year ending September 30, 1956		315,738.00
For the fiscal year ending September 30, 1957		322,200.00
For expenses incident to the Equalization Boards:		
For the fiscal year ending September 30, 1956		322,000.00
For the fiscal year ending September 30, 1957		347,000.00
(20) STATE BOARD OF ADJUSTMENT:		
For expenditures by the Board payable from General Fund for the General Fund contribution to the total expenditure of \$150,000.00 pursuant to Title 55, Section 343		10,000.00
(21) STATE SECURITIES COMMISSION:		
For the fiscal year ending September 30, 1956:		
For salaries	11,064.00	
For other expenses	740.00	
Total		11,804.00
For the fiscal year ending September 30, 1957:		
For salaries	12,264.00	
For other expenses	740.00	
Total		13,004.00
(22) SOCIAL SECURITY:		
For the fiscal year ending September 30, 1956:		
Administrative:		
For salaries	14,436.00	
For other expenses	5,775.00	
Total		20,211.00
For the fiscal year ending September 30, 1957:		
Administrative:		
For salaries	14,772.00	
For other expenses	4,885.00	
Total		19,757.00
(23) STATE TOXICOLOGIST:		
For the fiscal year ending September 30, 1956:		

For the salary of the State Toxicologist.....	7,500.00	
For other salaries	79,686.00	
For other expenses	28,458.00	
For equipment purchases	24,366.00	

Total 140,000.00

For the fiscal year ending September
30, 1957:

For the salary of the State Toxicologist.....	7,500.00	
For other salaries	80,878.00	
For other expenses	28,683.00	
For equipment purchases	11,300.00	

Total 128,361.00

(24) DEPARTMENT OF VETERANS' AFFAIRS:

For the fiscal year ending September
30, 1956:

For salary of the Service Commis- sioner	7,500.00	
For other salaries	326,962.00	
For other expenses	36,350.00	
For equipment purchases	7,500.00	
For contract with Veterans of Foreign Wars Organizations	20,000.00	
For contract with Disabled American Veterans Organizations	5,000.00	
Total		403,312.00

For the fiscal year ending September
30, 1957:

For salary of the Service Commis- sioner	7,500.00	
For other salaries	345,886.00	
For other expenses	37,400.00	
For equipment purchases	6,500.00	
For contract with Veterans of Foreign Wars Organizations	20,000.00	
For contract with Disabled American Veterans Organizations	5,000.00	

Total 422,286.00

VI. DEVELOPMENT AND CONSERVATION
OF NATURAL RESOURCES:

(1) DEPARTMENT OF CONSERVATION:

(a) State Parks Fund:

For salaries and other expenses in- cident to the operation and maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of Department of Conservation	86,810.00
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Conditional upon the condition of the Treasury and with the approval of the Governor		200,000.00
(b) State Lands Fund:		
For salaries and other expenses incident to the operation of the Division of State Lands		25,000.00
(c) Forestry Fund:		
For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation		250,000.00
For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation, conditional upon the condition of the treasury and with the approval of the Governor		200,000.00
(2) GEOLOGICAL SURVEY:		
For the fiscal year ending September 30, 1956:		
For the salary of the State Geologist	9,100.00	
For other salaries	59,103.00	
For other expenses	32,223.00	
For equipment purchases	2,000.00	
For matching Federal funds for the investigation of the surface water resources of the State	27,500.00	
For matching Federal funds for the investigation of the ground water resources of the State	30,000.00	
Total		167,000.00
For the fiscal year ending September 30, 1957:		
For salary of the State Geologist	9,100.00	
For other salaries	61,864.00	
For other expenses	24,536.00	
For equipment purchases	2,000.00	
For matching Federal funds for the investigation of the surface water resources of the State	27,500.00	
For matching Federal funds for the investigation of the ground water resources of the State	30,000.00	
Total		155,000.00
(3) STATE SOIL CONSERVATION COMMITTEE:		
For salaries	9,000.00	

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For the fiscal year ending September 30, 1957	125,000.00
(20) For Spanish War Veterans Encampment	1,500.00
(21) First White House of Confederacy, for salaries and other expenses	3,140.00
(22) For Bangs Disease Control:	
For salaries	40,000.00
For other expenses	60,000.00
Total	100,000.00
This appropriation to be expended at the direction of the State Veterinarian.	
(23) For Prevention and Control of Diseases of Swine:	
For salaries	43,000.00
For other expenses	53,000.00
For equipment purchases	4,000.00
Total	100,000.00
This appropriation to be expended at the direction of the State Veterinarian.	
(24) For Southern Regional Council on Mental Health Training and Research..	8,000.00

FROM FUNDS OTHER THAN GENERAL FUND

XI. AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1956:	
For salary of the Director	7,200.00
For other salaries	25,884.00
For other expenses	14,763.00
For equipment purchases	7,434.00
Total	55,281.00
For State aid for Airports — For Airports and Airmarking	150,000.00
For the fiscal year ending September 30, 1957:	
For salary of the Director	7,200.00
For other salaries	25,884.00
For other expenses	14,763.00
For equipment purchases	3,000.00
Total	50,847.00
For State aid for Airports — For Airports and Airmarking	125,000.00
The above appropriations shall be paid out of the receipts to the State Airports Development Fund as pro-	

an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week, for each patient,

For the fiscal year ending September 30, 1956, estimated	5,284,628.00
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For the fiscal year ending September 30, 1957, estimated	5,436,344.00
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Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	391,456.00
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For the fiscal year ending September 30, 1957, estimated	402,688.00
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For training Psychiatric Nurses	25,000.00
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(3) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:

For the support, maintenance and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	982,800.00
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For the fiscal year ending September 30, 1957, estimated	1,017,900.00
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Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	72,800.00
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For the fiscal year ending September 30, 1957, estimated	75,400.00
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(4) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	20,000.00
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(5) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated	375,000.00
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(6) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of absconding felons, estimated	1,000.00
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For other expenses	11,250.00	
For equipment purchases	500.00	
Total		20,750.00

(4) FORT MORGAN HISTORICAL SOCIETY:

For salaries	10,500.00	
For other expenses	20,000.00	
Total	30,500.00	

(5) FOR TRANSFER TO AGRICULTURAL FUND:

For salaries, other expenses and equipment purchases for the Department of Agriculture and Industries	100,000.00
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VII. EDUCATION:

(1) INTEREST ON ENDOWMENTS:

For interest on Alabama College Endowment, estimated	40,000.00	
For interest on Alabama Polytechnic Institute Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowments:		
Interest on 16th section lands, estimated	173,659.00	
Interest on school indemnity lands, estimated	31,596.81	
Interest on valueless 16th section lands	5,825.47	
Interest on surplus revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total estimated		360,000.00

(2) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

For the Minimum Program Fund	1,000,000.00
Conditional upon the Condition of the treasury and with the approval of the Governor.	

VIII. HOSPITALS AND CORRECTIONAL FUNCTIONS:

(1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections for salaries of the employees of the Board	1,375,000.00
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(2) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals,	
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(7) For court costs to be paid by the State of Alabama not otherwise provided for, estimated	1,000.00
(8) For distribution of public documents, estimated	3,000.00
(9) Departmental Emergency Fund	150,000.00
(This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section)	
(10) Employees' Special Pension Fund: For the fiscal year ending September 30, 1956	60,000.00
For the fiscal year ending September 30, 1957	65,000.00
(11) Gorgas Memorial Board:	
To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383	10,000.00
(12) For expense of Governor's Proclamations, estimated:	
For the fiscal year ending September 30, 1956	40,000.00
For the fiscal year ending September 30, 1957	20,000.00
(13) Hall of Fame Board:	
For payment of salaries and expenses...	2,100.00
(14) Richmond Pearson Hobson Memorial Board:	
To provide for the expenditures authorized by Act No. 536, 1943 Acts, page 510	2,750.00
(15) LaGrange Historical Commission: To provide for the expenditures authorized by Act No. 551, 1943, Acts, page 540	500.00
(16) For mailing tax notices, estimated.....	3,500.00
(17) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1956, estimated	25,000.00
(18) For printing of State and County Privilege Licenses, estimated	6,000.00
(19) For registration of voters, estimated:	
For the fiscal year ending September 30, 1956	175,000.00

(7) BOARD OF PARDONS AND PAROLES:

For the fiscal year ending September
30, 1956:

For salaries of Board Members	22,500.00
For other salaries	236,460.00
For other expenses	54,000.00
For equipment purchases	12,040.00

Total	325,000.00
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For the fiscal year ending September
30, 1957:

For salaries of Board Members	22,500.00
For other salaries	238,460.00
For other expenses	54,000.00
For equipment purchases	10,040.00

Total	325,000.00
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IX. DEBT SERVICE:

- | | |
|---|------------|
| (1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds for the fiscal year ending September 30, 1956 | 302,385.00 |
| (2) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1956 | 214,178.00 |
| (3) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1957 | 213,730.00 |
| (4) For interest on Spanish American War Veterans Fund, estimated | 294.86 |

X. MISCELLANEOUS:

- | | |
|--|-----------|
| (1) For advertising lands for tax sale, estimated | 5,000.00 |
| (2) Alabama Agricultural and Industrial Exhibit Commission | 25,000.00 |
| (3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61)... | 22,500.00 |
| (4) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated | 3,500.00 |
| (5) Cahaba Historical Commission: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 | 500.00 |
| (6) For civil court costs in connection with ad valorem tax assessment appeals, estimated | 1,000.00 |

vided in Act No. 402, approved July 9, 1945, and the amounts appropriated herein shall be the maximum expenditures pursuant thereto.

XII. AGRICULTURE AND INDUSTRIES:

A. ADMINISTRATIVE OPERATIONS:

For the fiscal year ending September 30, 1956:

For salary of the Commissioner	8,400.00
For other salaries	596,700.00
For other expenses	240,000.00
For equipment purchases	25,000.00
For awarding prizes and premiums	35,000.00
For White Fringed Beetle Control	27,000.00

Total	932,100.00
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For the fiscal year ending September 30, 1957:

For salary of the Commissioner	8,400.00
For other salaries	597,900.00
For other expenses	240,000.00
For equipment purchases	25,000.00
For awarding prizes and premiums	35,000.00
For White Fringed Beetle Control	27,000.00

Total	933,300.00
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(The above appropriations are payable from funds in the Agricultural Fund and shall be the maximum amount expended therefrom for operation and shall include the appropriation made in Section VI, sub-section (5) in this Act.)

B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:

For the fiscal year ending September 30, 1956:

(1) Transfer to Agricultural Center Board for operation and debt service	95,100.00
(2) Transfer to Agricultural Center Board for operation of Livestock Coliseum	25,000.00
(3) Transfer to Shipping Point Inspection Fund	15,000.00
(4) Transfer to State Personnel Department	2,739.00

Total	137,839.00
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For the fiscal year ending September 30, 1957:

(1) Transfer to Agricultural Center Board for operation and debt service	93,900.00
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(2) Transfer to Agricultural Center Board for operation of Livestock Coliseum	25,000.00	
(3) Transfer to Shipping Point Inspection Fund	15,000.00	
(4) Transfer to State Personnel Department	2,814.00	
Total		136,714.00

C. EGG INSPECTION DIVISION:

For the fiscal year ending September 30, 1956:		
For salaries, other expenses and equipment purchases		60,000.00
For the fiscal year ending September 30, 1957:		
For salaries, other expenses and equipment purchases		100,000.00

(The above appropriations are payable from funds in the Egg Inspection Fund and shall be the Maximum amounts expended therefrom.)

D. AGRICULTURAL CENTER BOARD:

For the fiscal year ending September 30, 1956:		
For salaries	13,950.00	
For other expenses	5,850.00	
For equipment purchases	200.00	
For debt service on Coliseum Bonds.....	75,100.00	
Total		95,100.00
For the fiscal year ending September 30, 1957:		
For salaries	14,310.00	
For other expenses	5,490.00	
For equipment purchases	200.00	
For debt service on Coliseum Bonds	73,900.00	
Total		93,900.00

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

E. LIVESTOCK COLISEUM:

For salaries, other expenses and equipment purchases	90,000.00
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(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the ap-

propriation made to said fund as provided in Item XII B.)

XIII. ALCOHOLIC BEVERAGE CONTROL BOARD:

A. ADMINISTRATIVE AND STORES DIVISION:

For the fiscal year ending September 30, 1956:

For salary of administrator	10,000.00
For other salaries	1,856,944.00
For other expenses (transportation costs for merchandise excluded)	503,300.00
For equipment purchases	58,390.00
For additions and betterments	8,000.00
For transfer to State Personnel Department	8,393.00
For transportation costs on merchandise, estimated	125,000.00

Total estimated 2,570,027.00

For the fiscal year ending September 30, 1957:

For salary of administrator	10,000.00
For other salaries	1,890,988.00
For other expenses (transportation costs for merchandise excluded)	512,100.00
For equipment purchases	31,196.00
For additions and betterments	5,000.00
For transfer to State Personnel Department	8,622.00
For transportation costs on merchandise, estimated	125,000.00

Total estimated 2,582,906.00

In addition to the above appropriation herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said Board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

B. LAW ENFORCEMENT DIVISION:

For salaries	300,000.00
For other expenses	168,000.00
For equipment purchases	20,000.00

Total 488,000.00

C. COMMISSION ON EDUCATION WITH
RESPECT TO ALCOHOLISM:For the fiscal year ending September
30, 1956:

For salaries	9,360.00	
For other expenses	3,580.00	
For equipment purchases	2,500.00	
Total		15,440.00

For the fiscal year ending September
30, 1957:

For salaries	9,360.00	
For other expenses	6,080.00	
Total		15,440.00

(The appropriations hereinabove made to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.)

D. BEER TAX AND LICENSE DIVISION:

For the fiscal year ending September
30, 1956:

For salaries	138,302.00	
For other expenses	81,790.00	
For equipment purchases	1,000.00	
Total		221,092.00

For the fiscal year ending September
30, 1957:

For salaries	149,615.00	
For other expenses	83,790.00	
For equipment purchases	1,000.00	
Total		234,405.00

(This appropriation hereinabove made to the Alcoholic Beverage Control Board shall be paid out of the gross proceeds from the licenses, permits, and tax on malt beverages.)

XIV. ALABAMA STATE BAR ASSOCIATION:

For salaries, other expenses and equipment purchases	34,000.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

XV. DEPARTMENT OF CONSERVATION:

A. ADMINISTRATIVE DIVISION:

For the fiscal year ending September
30, 1956:

For the salary of the Director	10,000.00
For other salaries	168,696.00
For other expenses	80,277.00
For equipment purchases	20,000.00
For transfer to Personnel Department..	9,108.00

Total	288,081.00
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For the fiscal year ending September 30, 1957:

For the salary of the Director	10,000.00
For other salaries	168,696.00
For other expenses	80,029.00
For equipment purchases	20,000.00
For transfer to Personnel Department..	9,356.00

Total	288,081.00
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B. STATE FORESTRY DIVISION:

For salaries	847,000.00
For other expenses and equipment purchases	397,000.00
For additions and betterments	24,000.00
For transfer to Conservation Department—Administrative Account	110,000.00

Total	1,378,000.00
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The funds hereinabove appropriated to the State Forestry Division shall be paid out of the State Forestry Fund. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor, is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

C. GAME AND FISH DIVISION:

For salaries	695,532.00
For other expenses	476,100.00
For equipment purchases	100,000.00
For additions and betterments	475,000.00
For transfer to Conservation Department—Administrative Account	110,000.00

Total	1,856,632.00
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The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

D. STATE LANDS DIVISION:

For salaries	35,316.00
For other expenses	15,184.00
For equipment purchases	2,000.00

Total	52,500.00
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The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

E. STATE PARKS DIVISION:

For salaries	105,000.00	
For other expenses	93,000.00	
For equipment purchases	15,000.00	
For additions and betterments	40,000.00	
For transfer to Conservation Department—Administrative Account	33,190.00	
Total		286,190.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item VI (1) in this Act.

F. SEAFOODS DIVISION:

For the fiscal year ending September 30, 1956:

For salaries	61,608.00	
For other expenses	59,150.00	
For equipment purchases	48,000.00	
For additions and betterments	130,000.00	
For transfer to Conservation Department—Administrative Account	37,842.00	
Total		336,600.00

For the fiscal year ending September 30, 1957:

For salaries	61,608.00	
For other expenses	54,400.00	
For equipment purchases	10,000.00	
For additions and betterments	125,000.00	
For transfer to Conservation Department—Administrative Account	37,842.00	
Total		288,850.00

For the fiscal year ending September 30, 1956:

Total	4,197,903.00
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For the fiscal year ending September 30, 1957:

Total	4,150,153.00
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The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

XVI. BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1956:

For the salary of the Commissioner	12,000.00
For transfer to the State Personnel Department	4,752.00
For other salaries and expenses incident to the operation and maintenance	

of the convict system of Alabama,
so much as may be necessary.

For the fiscal year ending September
30, 1957:

For the salary of the Commissioner.....	12,000.00
For transfer to State Personnel Department	4,881.00
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.	

The above appropriation to the Board of Corrections shall be paid out of all of the receipts from the administration of the department, including the labor of the convicts, and all other funds appropriated.

XVII. DENTAL ASSOCIATION:

For salaries, other expenses and equipment purchases	2,600.00
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XVIII. ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department:

For the fiscal year ending September 30, 1956	5,203.00
For the fiscal year ending September 30, 1957	5,345.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

XIX. HEALTH DEPARTMENT:

1. Hospital Licensing:

For the fiscal year ending September
30, 1956:

For salaries	8,280.00	
For other expenses	4,000.00	
Total		12,280.00

For the fiscal year ending September
30, 1957:

For salaries	8,712.00	
For other expenses	4,000.00	
Total		12,712.00

The above appropriations are payable from funds in the Hospital Licensing Fund and shall be the maximum amounts expended therefrom.

2. Bureau of Vital Statistics:

For salaries	45,300.00
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The above appropriations are payable from the funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

XX. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$10,000.00; for transfer to the State Personnel Department, \$34,452.00 for the fiscal year ending September 30, 1956 and \$35,392.00 for the fiscal year ending September 30, 1957; for maintenance and construction of roads and bridges, for salaries and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

XXI. DEPARTMENT OF INDUSTRIAL RELATIONS:

For salary of the Director, estimated	10,000.00
For transfer to the State Personnel Department:	

For the fiscal year ending September 30, 1956	8,140.00
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For the fiscal year ending September 30, 1957	8,362.00
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For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation and for such other funds, services and operations for which the United States Government may provide monies: there is hereby appropriated, in addition to the amounts appropriated herein in Item V (9), all such sums as the United States Government may make available therefor.

XXII. STATE INSURANCE FUND:

For the fiscal year ending September 30, 1956:

For salaries	46,436.00
For other expenses	16,877.00
For equipment purchases	6,750.00

Total	70,063.00
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For the fiscal year ending September 30, 1957:

For salaries	48,584.00
For other expenses	18,877.00
For equipment purchases	8,200.00

Total	75,661.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State

Insurance Fund, pursuant to Title 28, Section 325,
Code of Alabama 1940.

XXIII. LAW ENFORCEMENT:

To carry out the provisions of Sections
251 and 260 of Title 29, Code of Ala-
bama 1940, estimated

8,000.00

XXIV. STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For the fiscal year ending September
30, 1956:

For salaries	18,060.00
For other expenses	11,496.40
For equipment purchases	300.00

Total	29,856.40
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For the fiscal year ending September
30, 1957:

For salaries	18,060.00
For other expenses	11,496.40
For equipment purchases	500.00

Total	30,056.40
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In addition to the amounts appropriated herein-
above to the State Licensing Board for General
Contractors, there is hereby appropriated such an
amount as may be necessary to pay the refund of
any application for license which may have been
rejected by the Board or application withdrawn by
request of applicant.

The above appropriation is payable out of the funds
in the State Treasury to the credit of the State
Licensing Board for General Contractors pursuant
to Title 46, Chapter 4, Code of Alabama 1940.

XXV. LIQUIFIED PETROLEUM GAS COMMISSION:

For salaries of three commissioners.....	7,500.00
For other salaries	12,180.00
For other expenses	6,085.00

Total	25,765.00
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The above appropriation is payable from funds in
the State Treasury to the credit of the Liquified
Petroleum Gas Fund and shall be the maximum
amounts expended therefrom.

XXVI. ALABAMA MILK CONTROL BOARD:

For the fiscal year ending September
30, 1956:

For salaries	52,932.00
For other expenses	32,300.00
For equipment purchases	3,000.00

Total	88,232.00
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For the fiscal year ending September
30, 1957:

For salaries	56,652.00
For other expenses	32,300.00
For equipment purchases	2,500.00

Total	91,452.00
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The above appropriation shall be paid out of the
Milk Control Board Fund as is provided in Title
22, Chapter 7, Code of Alabama 1940.

XXVII. BOARD OF NURSES EXAMINERS AND REGISTRATION:

For the fiscal year ending September
30, 1956:

For salaries	18,364.00
For other expenses	9,977.00
For equipment purchases	1,000.00

Total	29,841.00
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For the fiscal year ending September
30, 1957:

For salaries	19,683.00
For other expenses	9,470.00
For equipment purchases	1,500.00

Total	30,653.00
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The above appropriation is payable out of the funds
in the State Treasury to the credit of the State
Board of Nurses' Examiners and Registration as
provided in Title 46, Chapter 10, Code of Alabama
1940, as amended.

XXVIII. OIL AND GAS BOARD:

For the fiscal year ending September
30, 1956:

For salaries	32,616.00
For other expenses	15,687.50
For equipment purchases	5,500.00
For salaries and expenses incurred in opening new oil fields	10,000.00

Total	63,803.50
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For the fiscal year ending September
30, 1957:

For salaries	33,843.75
For other expenses	15,687.50
For equipment purchases	5,500.00
For salaries and expenses incurred in opening new oil fields	15,000.00

Total	70,031.25
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The above appropriation is payable out of the funds
in the State Treasury to the credit of the Oil and

Gas Fund pursuant to the provisions of Act No. 1,
approved May 22, 1945.

XXIX. PENSIONS:

1. For confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows.

2. PENSION COMMISSION:

For the fiscal year ending September
30, 1956:

For salaries	4,200.00	
For other expenses	400.00	
For equipment purchases	300.00	
Total		4,900.00

For the fiscal year ending September
30, 1957:

For salaries	4,200.00	
For other expenses	400.00	
Total		4,600.00

The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, of the Code of Alabama 1940.

XXX. PERSONNEL DEPARTMENT:

For the fiscal year ending September
30, 1956:

For salary of the Director	7,500.00	
For other salaries	81,000.00	
For other expenses	16,000.00	
For equipment purchases	1,000.00	
Total		105,500.00

For the fiscal year ending September
30, 1957:

For salary of the Director	7,500.00	
For other salaries	83,500.00	
For other expenses	16,000.00	
For equipment purchases	1,500.00	
Total		108,500.00

The above appropriation shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

XXXI. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable prop-

erty in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XXXII. PHYSICIANS' ASSOCIATION:

For salaries, other expenses and equipment purchases	12,500.00
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XXXIII. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and Two Associate Commissioners	21,300.00	
For other salaries	117,228.00	
For other expenses	58,767.00	
For equipment purchases	6,000.00	
Total		203,295.00

The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts of percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

XXXIV. DEPARTMENT OF PUBLIC WELFARE:

For the salary of the Commissioner.....	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956	10,879.00
For the fiscal year ending September 30, 1957	11,176.00

For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item V (16) all Federal, State, County and Municipal funds made available therefor, provided that not more than the sum of two million dollars (\$2,000,000.00) of the State funds made available for welfare purposes may be used for administrative purposes of the Department, provided further, that not more than twenty-seven and one-half per centum of the State funds made available for welfare purposes may be allotted in any one quarter of a fiscal year.

XXXV. ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September
30, 1956:

For salaries	18,204.00
For other expenses	17,085.00
For equipment purchases	1,200.00

Total	36,489.00
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For the fiscal year ending September
30, 1957:

For salaries	18,684.00
For other expenses	16,885.00
For equipment purchases	500.00

Total	36,069.00
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The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the amounts appropriated herein shall be the maximum expenditure pursuant thereto.

XXXVI. STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September
30, 1956:

For salaries	900.00
For other expenses	1,702.50

Total	2,602.50
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For the fiscal year ending September
30, 1957:

For salaries	900.00
For other expenses	1,710.00
For equipment purchases	120.00

Total	2,730.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

XXXVII. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September
30, 1956:

For salaries	11,340.00
For other expenses	6,725.00
For equipment purchases	400.00

Total	18,465.00
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For the fiscal year ending September
30, 1957:

For salaries	11,880.00
For other expenses	7,725.00
For equipment purchases	500.00

Total	20,105.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

XXXVIII. DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item V (19) of this Act,

For the fiscal year ending September 30, 1956	315,738.00
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For the fiscal year ending September 30, 1957	322,200.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Coal Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	17,539.00
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For the fiscal year ending September 30, 1957	17,898.00
--	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Financial Institutions Excise Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	26,176.00
--	-----------

For the fiscal year ending September 30, 1957	26,712.00
--	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	110,000.00
--	------------

For the fiscal year ending September 30, 1957	110,000.00
--	------------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax collections, for the cost of collecting said tax,

For the fiscal year ending September 30, 1956	445,000.00
--	------------

For the fiscal year ending September
30, 1957 445,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 90,000.00

For the fiscal year ending September
30, 1957 90,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 60,000.00

For the fiscal year ending September
30, 1957 60,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 391,400.00

For the fiscal year ending September
30, 1957 420,900.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 3,467.00

For the fiscal year ending September
30, 1957 3,538.00

There is hereby appropriated for transfer to the Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-mill ad valorem tax,

For the fiscal year ending September
30, 1956 70,317.00

For the fiscal year ending September
30, 1957 71,756.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 1,249,103.00

For the fiscal year ending September
30, 1957 1,274,670.00

REGULAR SESSION

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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 18,066.00

For the fiscal year ending September
30, 1957 18,436.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 227,010.00

For the fiscal year ending September
30, 1957 231,656.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 100,184.00

For the fiscal year ending September
30, 1957 102,234.00

There is hereby appropriated for transfer to Revenue Department Administrative Account, from the gross proceeds from the tax collections under the provisions of the Constitutional Amendment proposed by H. B. 683, conditional upon the ratification of said Constitutional Amendment 225,000.00

For the fiscal year ending September
30, 1956:

Total 3,124,000.00

For the fiscal year ending September
30, 1957:

Total 3,195,000.00

Total Conditional 225,000.00

DEPARTMENT OF REVENUE — ADMINISTRATIVE ACCOUNT:

For the fiscal year ending September
30, 1956:

For the salary of the Commissioner 10,000.00

For other salaries 1,896,590.00

For other expenses 1,056,900.00

For equipment purchases 33,000.00

For transfer to State Personnel Department 4,510.00

Total 3,001,000.00

For the fiscal year ending September
30, 1957:

For the salary of the Commissioner	10,000.00	
For other salaries	1,941,267.00	
For other expenses	1,091,100.00	
For equipment purchases	25,000.00	
For transfer to State Personnel Department	4,633.00	
Total		3,072,000.00

For salaries, other expenses and equipment purchases incident to the maintenance and operation of the Department of Revenue in collecting the taxes levied under the provision of the constitutional amendment proposed by H. B. 683, conditional upon the ratification of said constitutional amendment	225,000.00
--	------------

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.

XXXIX. STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	2,900.00	
Total		3,000.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

XL. SHIPPING POINT INSPECTION:

For the payment of expenses and salaries incident to operation of shipping Point Inspection of Department of Agriculture and Industries...	15,000.00
--	-----------

(This is the appropriation contemplated in Item XII B (3))

In addition to the above appropriation, there is also hereby appropriated for Shipping Point Inspection, all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama 1940, pursuant to an agreement with the U. S. Department of Agriculture whereby co-

operative Federal-State shipping point and terminal market inspection services for grading and classification of agricultural commodities are performed.

The above appropriation shall be paid out of the receipts to the Shipping Point Inspection Fund.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and that in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for these appropriations designated as 'estimated', and all appropriations herein made except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities, or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be, and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1955.

Mr. Bradford offered the following amendment to the substitute for the Bill, to-wit:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL 206

Amend Item 19 on page 10 of substitute for House Bill 206 by striking therefrom the words and figures as they appear and substituting, in lieu thereof, the following:

(19) DEPARTMENT OF REVENUE:

For salaries, operation and maintenance expense:

For the fiscal year ending September 30, 1956	315,738.00
---	------------

For the fiscal year ending September 30, 1957	322,200.00
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For expenses incident to the Equalization Boards:

For the fiscal year ending September 30, 1956	130,000.00
---	------------

For the fiscal year ending September 30, 1957	130,000.00
---	------------

On motion of Mr. Lamberth, said amendment was laid on the table.

Yeas 20; Nays 15.

Yeas:

Messrs.:	Flowers	Metcalf	Shelton
Allen	Goodwin	Moses	Skidmore
Boutwell	Grisham	Newton	Van Antwerp
Cantrell	Lamberth	Roberts	Vann
Dyar	Leonard	Robison	Yarbrough (Randolph)
Eddins			

—20

Nays:

Messrs.:	Cooper	Givhan	Reeves
Bradford	Davis (Lowndes)	James	Smith
Calvin	Davis (Pickens)	Jones	Tate
Coleman	Engelhardt	Little	Yarbrough (Autauga)

—15

Mr. Calvin then offered the following amendment to the substitute for the Bill, to-wit:

(5) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1956:

For the salary of the Chief Examiner ...\$	10,000.00
For other salaries	380,000.00
For other expenses	148,000.00
For equipment purchases	2,000.00

Total	\$540,000.00
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For the fiscal year ending September 30,
1957:

For the salary of the Chief Examiner ...\$	10,000.00
For other salaries	383,000.00
For other expenses	146,000.00
For equipment purchases	1,000.00

Total	\$540,000.00
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Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—32

Mr. Calvin then offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amend substitute for H. B. 206 by striking from page 15 thereof the following:

“(9) Departmental Emergency Fund \$150,000.00

(This is the appropriation contemplated in Sec. 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.)”

And renumbering the sub-sections on pages 15 and 16.

On motion of Mr. Lamberth, said amendment was laid on the table.

Yeas 23; Nays 12.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Flowers	Metcalf	Skidmore
Cantrell	Goodwin	Moses	Smith
Cooper	Grisham	Newton	Van Antwerp
Davis (Lowndes)	Jones	Roberts	Vann
Dyar	Lamberth	Robison	Yarbrough (Randolph)

—23

Nays:

Messrs.:	Coleman	Givhan	Reeves
Boutwell	Davis (Pickens)	James	Tate
Bradford	Engelhardt	Little	Yarbrough (Autauga)
Calvin			

—12

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas 95; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 95; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate Amendment to the following House bill:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor, returning Senate Bill 317 without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 30, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 317, without my approval.

This bill is being returned at the request of the author of the bill since an identical bill (House Bill 811) has already been approved.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Roberts, the Senate sustained the Governor's veto to the Bill, S. B. 317, which said veto is set out in the foregoing Message from His Excellency, the Governor.

RECESS

At 12:20 P. M., on motion of Mr. Davis (Lowndes), pending further consideration of H. B. 206, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION THIRTY-FIFTH LEGISLATIVE DAY TUESDAY, AUGUST 30, 1955

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:
Allen

Boutwell
Bradford

Calvin
Cantrell

Coleman
Cooper

Davis (Lowndes)	Goodwin	Metcalf	Skidmore
Davis (Pickens)	Grisham	Moses	Smith
Dyar	James	Newton	Tate
Eddins	Jones	Reeves	Van Antwerp
Engelhardt	Lamberth	Roberts	Vann
Flowers	Leonard	Robison	Yarbrough (Autauga)
Givhan	Little	Shelton	Yarbrough (Randolph)

—35

MESSAGE FROM THE HOSUE

Mr. President:

The House has acceded to the request of the Senate to return to the Senate for further consideration the bill:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

And sends same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE
MOTION TO RECONSIDER

On motion of Mr. Allen, the Senate reconsidered the vote by which it passed the Bill, H. B. 954, the title of which is set out in the foregoing Message from the House.

Mr. Allen then offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 954

Amend the bill by adding the following after the last sentence in Section 4: "When duly authorized by the board, the chairman shall serve as purchasing agent for the county, and shall purchase all books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, tools, materials, and contractual services for the county, and for every office, department, or instrumentality thereof, subject to the approval of the board."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Eddins	Leonard	Shelton
Bradford	Givhan	Little	Smith
Calvin	Goodwin	Newton	Vann
Coleman	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

And said Bill, as thus amended, was again read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Coleman	Davis (Pickens)
Allen	Calvin	Cooper	Eddins

Flowers
Givhan
Goodwin
Jones

Lamberth
Leonard
Moses
Newton

Reeves
Robison
Skidmore

Smith
Vann
Yarbrough (Autauga)

—21

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bill with the original Senate Bill, respectively and finds same correctly enrolled, to-wit:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate then proceeded to consideration of the Unfinished Business of the Morning Session, which was the bill:

H. B. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And substitute offered by the Standing Committee on Finance and Taxation, as amended, which said substitute, as amended, is set out at length in the Journal of the Senate, Morning Session, Thirty-fifth Legislative Day.

Mr. Shelton offered the following amendment to the substitute, as amended, for the bill, to-wit:

Amend Substitute for H. B. 206 by striking therefrom Section V, sub-section (7) (b) and inserting in lieu thereof the following:

"(b) For study and treatment of cancer.....125,000.00"

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:
Allen

Boutwell
Bradford

Calvin
Cantrell

Coleman
Cooper

Davis (Pickens)	James	Newton	Smith
Dyar	Jones	Reeves	Tate
Eddins	Lamberth	Roberts	Van Antwerp
Engelhardt	Leonard	Robison	Vann
Flowers	Little	Shelton	Yarbrough (Autauga)
Givhan	Metcalf	Skidmore	Yarbrough (Randolph)
Grisham	Moses		

—33

Mr. Van Antwerp offered the following amendment to the substitute, as amended, for the Bill, to-wit:

Amend Substitute for H. B. 206 by striking from Section XII, subsection A thereof the words and figures "For White Fringed Beetle Control.....27,000.00" wherever they appear therein and inserting in lieu thereof the following:

"For White Fringed Beetle Control:

For salaries, other expenses and equipment purchases	12,000.00
--	-----------

For purchase of necessary insecticides for the control and eradication of the White Fringed Beetle	15,000.00
--	-----------

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Metcalf	Smith
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)

—31

Mr. Bradford offered the following amendment to the substitute, as amended, for the Bill, to-wit:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL 206

Amend Item 19 on page 10 of the said substitute by adding at the end of said Item 19 the following sentence:

No part of the appropriation for expenses incident to the Equalization Boards shall be spent in any county where the assessed valuation for taxes in such county has been increased one hundred per cent (100%) or more since the fiscal year 1943-44.

On motion of Mr. Metcalf, said amendment was laid on the table.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Dyar	Grisham	Metcalf
Allen	Eddins	Jones	Moses
Boutwell	Flowers	Lamberth	Newton
Calvin	Givhan	Leonard	Reeves
Cantrell	Goodwin	Little	Roberts

Robison
Skidmore

Smith

Van Antwerp

Yarbrough (Randolph)

—24

Nays:

Messrs.:
Bradford
Coleman

Cooper
Davis (Pickens)
Engelhardt

James
Shelton

Tate
Yarbrough (Autauga)

—9

Mr. Davis (Pickens) offered the following amendment to the substitute, as amended, for the Bill, to-wit:

AMENDMENT OF SUBSTITUTE FOR H. B. 206

Amend paragraph C of Subsection XIII of Section 2 by striking out the figure "9,360.00," wherever it appears in the item, and substituting in lieu thereof the figure "4,360.00"

Also, amend paragraph C of Subsection XIII of Section 2 by striking out the figure "15,440.00," wherever it appears in the item, and substituting therefor the figure "10,440.00."

Also, amend paragraph C of Subsection XIII of Section 2 by inserting the following after the second part of the paragraph and before the words enclosed in parenthesis:

D. For temperance education25,000.00

Also, amend paragraph D of Subsection XIII by striking out the letter "D" and substituting the letter "E".

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:

Allen
Boutwell
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Lowndes)

Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin
Grisham
James

Jones

Lamberth
Leonard
Little
Metcalf
Moses
Newton
Reeves

Roberts

Robison
Skidmore
Smith
Tate
Van Antwerp
Yarbrough (Autauga)
Yarbrough (Randolph)

—33

And said substitute, as thus amended, for the Bill, was then adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:

Allen
Boutwell
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin
Grisham
James
Jones

Lamberth
Leonard
Little
Metcalf
Moses
Newton
Reeves
Roberts

Robison
Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—33

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Lee (Barbour):

H. J. R. 78. Resolved by the House, the Senate concurring, That the Committee appointed pursuant to H. J. R. 43, approved July 26, 1955 (Act No. 157), be authorized and directed to continue its investigation in accordance with said H. J. R. 43 after sine die adjournment of this session of the Legislature; provided, that said Committee shall not meet for more than five additional days and the members of the Committee shall serve without pay or allowances.

Resolved further, that the Alabama Public Service Commission is requested to furnish to the Committee, at its request, all books, reports, papers, and records pertaining to the operation and management of the United Telephone and Telegraph Company and the Clio Telephone Company and that the members of the Commission are requested to appear before said Committee to give such evidence and assistance as the Committee may require.

Resolved also, that the Committee may incur expenses not exceeding two hundred dollars in carrying out their duties under this resolution, such expenses to be paid from appropriations made for the use of the Legislature, on requisitions approved by the Committee's chairman.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Rules were suspended and the Resolution, H. J. R. 78, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Richardson:

H. J. R. 79. Be It Resolved by the House, the Senate concurring, that H. B. 377 which has passed the 2 houses, be named the "Hall, Dawkins,

Gilchrist, Dickson, Ramey, Davis of Pickens, Davis of Lowndes, Vann and Givhan Bill".

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 79, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Cornett:

H. J. R. 80. Whereas the location and establishment of a state vocational trade school in Russell County would provide convenient vocational training facilities to a large portion of the people who reside in the east-central part of the State,

Whereas the location and establishment of a state vocational trade school in Russell County would be of tremendous benefit to the people of that county; now therefore

Be It Resolved by the House of Representatives, the Senate concurring: That the Legislature hereby requests the State Board of Education to give the greatest possible consideration to Russell County as the location of one of the additional state vocational trade schools provided for by an act of the 1955 regular session of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 80, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and

paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collections; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Senate concurred in and adopted the following House amendment to the Bill, S.B. 353, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 353:

S. B. 353 is hereby amended by adding after the last sentence of Section 10 thereof the following: The Commissioner of Revenue shall appoint as his agent a resident of Winston County with the consent of the Representative from Winston County, who shall serve at the pleasure of the Commissioner of Revenue and who shall collect the tax and be responsible directly to the Commissioner of Revenue and who shall render such reports and accountings to the Department of Revenue as the Commissioner shall require.

The salary for the agent so appointed shall not exceed four hundred dollars (\$400) per month, and reimbursement for travel by private automobile in the conduct of business shall be allowed at the rate of seven cents (7c) per mile, with a maximum allowance for mileage of fifty dollars (\$50) per month.

Further amend S. B. 353 by deleting from Section 15 thereof the following: The total cost of collecting the tax shall be deemed to be an amount which bears the same ratio to the total cost of collecting the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) collected by the State Department of Revenue, that the total amount of collections from the tax bears to the total amount of the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) that are collected by the State Department of Revenue.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Flowers	Little	Smith
Calvin	Goodwin	Moses	Tate
Cantrell	Grisham	Newton	Vann
Coleman	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

Was taken up.

Mr. Van Antwerp offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 730

Strike out the words and figures, "Ten Dollars (\$10.00)," wherever they appear in Section 1 of the bill, and insert the words and figures, "Twenty-five dollars (\$25)," in lieu thereof.

Also, strike out Section 2 of the bill in its entirety and insert in lieu thereof the following:

"Section 2. Section 7 of said Act No. 529, approved September 2, 1949, as amended, is amended further to read as follows:

"It shall be unlawful for any person, firm or corporation to do or perform, or to contract, direct or superintend any plumbing anywhere within any county having a population in excess of 140,000 inhabitants, according to the last or any subsequent Federal decennial census,

unless such person has first received a certificate of competency, hereinafter referred to as 'certificate,' and unless such certificate is in force and effect at time such plumbing is done, directed or superintended; except as hereinafter provided.

"It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a journeyman's plumber's certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon the fundamentals of plumbing, the theory and practice of plumbing installation and construction, and the experience and ability of the applicant in practical plumbing installation and construction; and if such applicant be found to possess an accurate knowledge of the theory and correct practice of plumbing installation and construction, and sufficient experience and ability in plumbing installation and construction to safely and competently apply his knowledge and practice, the Board shall issue to him a certificate, upon his first paying all fees herein prescribed.

"It shall be the duty of said Board to examine and pass upon the qualifications of every person who may apply for a master plumber's certificate upon forms provided by the Board. Such applicant for a master's certificate shall be examined as an applicant for a journeyman's certificate, as hereinabove required to be examined and also upon his knowledge, training and ability, in the planning, laying out, and supervision of plumbing installation and construction work; and if such applicant for a master's certificate be found to possess the qualifications hereinabove prescribed for issuance of a journeyman's certificate, and also sufficient knowledge, training, and ability to competently and safely plan, lay out and supervise plumbing installation and construction work, he shall be issued a master plumber's certificate by said board. The examination required of an applicant for a permit as a master plumber or journeyman plumber may be waived by the Board as to any person who furnished satisfactory proof to the Board that he is a person of good moral character, and that he has been actively engaged as a master plumber or as a journeyman plumber, and duly licensed as such under the general laws of the State of Alabama, as the case may be, for at least two years, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name or names of persons, firms or corporations, and the addresses thereof, by whom he has been employed, or for whom he has done plumbing work, during said two years of his engaging in said trade. And, provided, further, that said application be filed within six months after the passage of this Act. Except as herein provided in this Section, no person shall be issued a certificate without passing the prescribed examination; provided, however, that a person after having passed said examination, shall not be required to take said examination thereafter in order to secure a certificate in subsequent years. At least four (4) examinations per year shall be conducted, at a time and place prescribed by the Board after reasonable notice thereof."

Also, strike out the words and figures, "three hundred dollars (\$300.00)" appearing in Section 1 of the bill and insert in lieu thereof the following: "seven hundred fifty dollars (\$750.00)."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Davis (Pickens)	Engelhardt
Boutwell	Cooper	Dyar	Goodwin
Bradford	Davis (Lowndes)	Eddins	Grisham

Jones	Moses	Shelton	Van Antwerp
Lamberth	Newton	Smith	Yarbrough (Randolph)
Leonard	Robison		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Bradford	Eddins	Moses	Smith
Calvin	Givhan	Newton	Van Antwerp
Cooper	Goodwin	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Calvin	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Randolph)
Cooper	Jones		

—21

The Bill:

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Moses	Tate
Coleman	Givhan	Newton	Yarbrough (Autauga)
Cooper	James	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Dyar	Leonard	Shelton
Boutwell	Engelhardt	Little	Smith
Cantrell	Flowers	Moses	Tate
Coleman	Givhan	Newton	Yarbrough (Autauga)
Cooper	James		

—21

The Bill:

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Allen	Dyar	Little	Shelton
Boutwell	Engelhardt	Metcalf	Tate
Cantrell	Flowers	Moses	Vann
Coleman	Givhan	Reeves	Yarbrough (Randolph)
Cooper	Grisham		

—21

The Bill:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 935

Amend House Bill No. 935 Section 2 by adding to said Section 2, immediately following the last sentence thereof, the following:

"provided however, that this authority shall prevail only when it is clearly shown that insurance may be procured locally at less cost to the taxpayers than if purchased through the State Insurance Fund".

On motion of Mr. Calvin, said amendment was laid on the table.

And said Bill was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Flowers	Little	Tate
Boutwell	Givhan	Metcalf	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Jones		

—21

The Bill:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953,

approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Engelhardt	Little	Skidmore
Calvin	Flowers	Moses	Tate
Coleman	Givhan	Reeves	Van Antwerp
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Skidmore
Allen	Dyar	Leonard	Van Antwerp
Boutwell	Eddins	Little	Vann
Calvin	Engelhardt	Moses	Yarbrough (Autauga)
Coleman	Flowers	Newton	Yarbrough (Randolph)
Cooper	Givhan	Robison	

—21

The Bill:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body

of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Shelton
Allen	Eddins	Metcalf	Tate
Calvin	Flowers	Moses	Vann
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Coleman	Grisham	Roberts	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Roberts
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Coleman	Grisham	Moses	Van Antwerp
Cooper	James	Newton	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Pickens)	Givhan
Allen	Cantrell	Dyar	Goodwin
Boutwell	Davis (Lowndes)	Engelhardt	James

Lamberth	Metcalf	Shelton	Van Antwerp
Leonard	Newton	Tate	Yarbrough (Autauga)
Little	Robison		

—21

The Bill:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Little	Tate
Bradford	Engelhardt	Metcalf	Van Antwerp
Coleman	Flowers	Newton	Vann
Cooper	Givhan	Robison	Yarbrough (Autauga)
Davis (Lowndes)	James		

—21

The Bill:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Eddins	Little	Tate
Bradford	Engelhardt	Metcalf	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James		

—21

The Bill:

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Davis (Pickens)	Givhan
Allen	Coleman	Dyar	Grisham
Calvin	Davis (Lowndes)	Flowers	James

Leonard	Roberts	Smith	Vann
Metcalf	Robison	Tate	Yarbrough (Autauga)
Newton	Shelton		

—21

The Bill:

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Boutwell	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Smith
Coleman	Givhan	Newton	Van Antwerp
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Eddins	Little	Skidmore
Boutwell	Flowers	Metcalf	Tate
Bradford	Goodwin	Reeves	Van Antwerp
Calvin	James	Roberts	Yarbrough (Autauga)
Coleman	Jones		

—21

The Bill:

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Shelton
Boutwell	Flowers	Moses	Skidmore
Cantrell	Givhan	Newton	Tate
Coleman	Grisham	Reeves	Vann
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Boutwell	Flowers	Leonard	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Moses	Smith
Calvin	Givhan	Newton	Tate
Cantrell	Goodwin	Reeves	Van Antwerp
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Boutwell	Flowers	Leonard	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Vann
Coleman	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Robison
Allen	Dyar	Metcalf	Smith
Boutwell	Eddins	Moses	Tate
Calvin	Flowers	Newton	Vann
Cantrell	Givhan	Reeves	Yarbrough (Randolph)
Cooper	Goodwin		

—21

The Bill:

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Skidmore
Boutwell	Dyar	Moses	Smith
Bradford	Engelhardt	Newton	Van Antwerp
Cantrell	Flowers	Reeves	Vann
Coleman	Givhan	Robison	Yarbrough (Randolph)
Cooper	James		

—21

The Bill:

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Boutwell	Eddins	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Boutwell	Eddins	Metcalf	Shelton
Bradford	Givhan	Moses	Smith
Cantrell	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Engelhardt	Little	Smith
Bradford	Flowers	Newton	Van Antwerp
Calvin	Goodwin	Roberts	Vann
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Jones		

—21

The Bill:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Shelton
Allen	Eddins	Little	Smith
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Vann
Coleman	Goodwin	Robison	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Coleman	Davis (Pickens)
Allen	Cantrell	Davis (Lowndes)	Dyar

Engelhardt	Jones	Reeves	Van Antwerp
Goodwin	Leonard	Robison	Vann
Grisham	Metcalf	Smith	Yarbrough (Randolph)
James	Moses		

—21

The Bill:

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Engelhardt	Little	Skidmore
Bradford	Givhan	Metcalf	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Cooper	James	Robison	Yarbrough (Autauga)
Davis (Pickens)	Jones		

—21

The Bill:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Smith
Cantrell	Givhan	Metcalf	Tate
Coleman	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 470. To provide for the construction, maintenance, and operation of five additional trade schools.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 470

A BILL TO BE ENTITLED AN ACT

To provide further for the construction, maintenance, and operation of trade schools.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Board of Education is hereby authorized, empowered, and directed to establish and provide for the construction of three new vocational trade schools in this State in addition to the trade schools heretofore provided by law, to be located at such places as will make such schools conveniently accessible to all areas of Alabama. The cost of constructing such schools shall be paid out of proceeds realized from any bonds issued and sold by the State Board of Education or any other authority of this State for the purpose of financing the construction of public school buildings, or from any other funds made available for the construction of trade schools. The first seven hundred and fifty thousand dollars made available for expenditure on trade schools through the issuance and sale of bonds shall be allocated to the State Board of Education for the purpose of acquiring land, constructing buildings, reconstructing, altering, and improving existing buildings and building facilities, including the renewal and replacement of structural parts, and for the procurement of equipment for the buildings so constructed, reconstructed, or improved at the Decatur Trade School.

Section 2. The new trade schools to be constructed and established pursuant to this Act shall be maintained and operated in accordance with the provisions of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 515), and all amendments thereto.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Little	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Calvin	Goodwin	Newton	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—33

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Little	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—33

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Branyon and Windle:

H. 772. To provide a law enforcement fund for the use of the circuit judge and circuit solicitor of the Twenty-fourth Judicial Circuit.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 243. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the

municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in buildings located in or about the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Also:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Also:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Also:

S. 127. To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Robison, further consideration of the bill, S. B. 371, was indefinitely postponed by the Senate.

RESOLUTION

Mr. Newton offered the following Senate Joint Resolution, to-wit:

S. J. R. 79. Be it Resolved by the Senate, the House of Representatives Concurring: That Senate Bill 21, which has passed both houses, be known as the "Newton, Shumate, and Selman Bill."

And on motion of Mr. Newton, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 728. To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefor; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE & TAXATION COMMITTEE AMENDMENT TO
HOUSE BILL 728

Strike out Section 8 and insert in lieu thereof the following:

"All expenses incurred by the Commission in connection with the sale and issuance of each series of the bonds shall be paid by the Com-

mission out of the proceeds from the sale of the bonds of that series. The proceeds from each such sale remaining after payment of such expenses shall be covered into the State Treasury, and set apart therein in a special trust fund to be designated the "School Bond Fund". All monies paid into said fund shall be distributed on warrants drawn by the Commission as follows:

Eighty-three and twenty-five hundredths per centum (83.25%) thereof shall be allocated and distributed to county and city school systems on an actual teacher unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; four per centum (4%) thereof shall be allocated and paid to the Board of Trustees of the University of Alabama; four per centum (4%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; four-tenths of one per centum (0.4%) thereof shall be allocated and paid to Alabama College; four and six-tenths per centum (4.6%) thereof shall be expended on the state institutions of higher learning under the State Board of Education including Alabama Agricultural and Mechanical College, Alabama State College, and State Teachers' Colleges; three per centum (3.00%) thereof shall be expended on trade schools. All of said proceeds so allocated and expended shall be used solely for the acquisition of school and college building sites, for the construction, reconstruction, alteration, and improvement of school and college building facilities, including renewal and replacement of structural parts, and for the procurement of equipment for school and college buildings. Seventy-five hundredths per centum (.75%) of the proceeds thereof shall be expended for the construction of mental health facilities, including clinics, as may be authorized and directed by the Board of Trustees of the University of Alabama.

"The State is also authorized to become indebted, and in evidence of such indebtedness so incurred to issue and sell interest bearing general obligation bonds of the State, in addition to all other bonds authorized by law, in the principal amount of \$15,000,000, the proceeds of which shall be expended for the following purposes exclusively:

"\$3,000,000 for the medical center of the University of Alabama at Birmingham;

"\$3,000,000 for the construction of agricultural and veterinary science buildings at the Alabama Polytechnic Institute;

"\$2,470,000 for Partlow State School;

"\$3,500,000 for Bryce Hospital;

"\$870,000 for Searcy Hospital at Mt. Vernon;

"\$1,000,000 for the Alabama Institute for Deaf and Blind;

"\$100,000 for each of the state teachers' colleges, and the Alabama State College for Negroes;

"\$230,000 for the Industrial School for Negro Children;

"\$220,000 for the Alabama Boys' Industrial School;

"\$110,000 for the Agricultural and Mechanical Institute for Negroes;

"\$100,000 for the Alabama College at Montevallo.

"All of said proceeds so distributed, allocated, or expended by the Boards of Trustees of the colleges and trade schools herein designated shall be in accordance with the purposes for which the bonds are authorized, and in accordance with the statutes and regulations of such boards,

provided plans and specifications for any building construction shall be approved by the Alabama Building Commission, or any agency designated by the Legislature as its successor.

On motion of Mr. Boutwell, said amendment was laid on the table.

Mr. Boutwell then offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 728

Amend House Bill 728 as follows:

1. Strike therefrom in the title of said bill the figures "\$100,000,000" and insert in lieu thereof the figures "\$110,000,000."
2. Strike therefrom in the title of said bill the word "therefore" and insert in lieu thereof the word "therefor."
3. Strike therefrom in Section 2 of said bill the figures "\$100,000,000" and insert in lieu thereof the figures "\$110,000,000."
4. Strike therefrom in its entirety Section 8 thereof and insert in lieu thereof the following section:

"Section 8. All expenses incurred by the commission in connection with the sale and issuance of each series of the bonds shall be paid by the commission out of the proceeds from the sale of the bonds of that series. The proceeds from each such sale remaining after payment of such expenses shall be covered into the State Treasury, and set apart therein in a special trust fund to be designated the 'School Bond Fund.' All moneys paid into said fund shall be distributed on warrants drawn by the commission as follows: Seventy-six and nine-tenths per centum (76.9%) thereof shall be allocated and distributed to county and city school systems on a teacher-unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to Alabama College; Five and nine-tenths per centum (5.9%) thereof shall be expended by the State Board of Education on the state institutions of higher learning under said board, including Alabama Agricultural and Mechanical College, Alabama State College, and the State Teachers' Colleges; Two and seven-tenths per centum (2.7%) thereof shall be expended by the State Board of Education on trade schools; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama for the construction of facilities for mental health education; and Nine-tenths of one per centum (0.9%) thereof shall be allocated and paid to the Alabama Institute for Deaf and Blind. All of said proceeds so distributed or allocated or expended shall be used solely for the purposes for which the bonds are authorized, in Section 2 hereof, to be issued; provided, that the plans and specifications for any building constructed for any county or city school system shall be approved by the State Superintendent of Education, and the plans and specifications for any other building constructed with moneys from said special fund shall be approved by the Alabama Building Commission or any agency designated by the Legislature as its successor."

Which was adopted.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

—35

Mr. Robison offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 728

Insert in H. B. 728, immediately following Section 8 thereof, an additional section reading as follows:

"Section 8 (a) No bonds shall be issued hereunder until that certain amendment to the Constitution of Alabama proposed by Act No. 233 adopted at the 1955 regular session of the Legislature of Alabama shall have become a part of the Constitution."

Mr. Metcalf moved that the amendment offered by Mr. Robison be laid on the table, and the motion to table was lost.

Yeas 13; Nays 20.

Yeas:

Messrs.:	Leonard	Newton	Van Antwerp
Allen	Little	Roberts	Vann
Cantrell	Metcalf	Skidmore	Yarbrough (Randolph)
Lamberth	Moses		

—13

Nays:

Messrs.:	Davis (Lowndes)	Flowers	Reeves
Boutwell	Davis (Pickens)	Givhan	Robison
Bradford	Dyar	Grisham	Smith
Calvin	Eddins	James	Tate
Coleman	Engelhardt	Jones	Yarbrough (Autauga)
Cooper			

—20

The question recurred on the amendment offered by Mr. Robison, and said amendment was then adopted.

Yeas 27; Nays 7.

Yeas:

Messrs.:	Davis (Pickens)	James	Reeves
Boutwell	Dyar	Jones	Robison
Bradford	Eddins	Lamberth	Smith
Calvin	Engelhardt	Leonard	Tate
Coleman	Flowers	Little	Van Antwerp
Cooper	Givhan	Metcalf	Vann
Davis (Lowndes)	Grisham	Moses	Yarbrough (Autauga)

—27

Nays:

Messrs.:	Cantrell	Newton	Skidmore
Allen	Goodwin	Roberts	Yarbrough (Randolph)

—7

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James		

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Also:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with

respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Also:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and to repeal conflicting laws.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 470. To provide further for the construction, maintenance, and operation of trade schools.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTIONS

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 80.

RESOLVED by the Senate that on the call of the calendar today the following shall be the special, paramount and continuing order of business, superseding all previous and prior special orders:

H. B. 961	Page 39
H. B. 301	Page 3
H. B. 586	Page 28
H. B. 17	Page 5
H. B. 592	Page 5
H. B. 216	Page 28
H. B. 454	Page 19
H. B. 221	Page 40
H. B. 59	Page 11
H. B. 443	Page 20
H. B. 375	Page 8
H. B. 189	Page 35
H. B. 190	Page 35
H. B. 480	Page 29
H. B. 857	Page 29
H. B. 334	Page 30
H. B. 355	Page 26
H. B. 294	Page 22
H. B. 424	Page 6
H. B. 486	Page 6
H. B. 726	Page 22
H. B. 676	Page 27
H. B. 861	Page 27
H. B. 627	Page 26
H. B. 628	Page 23
H. B. 890	Page 32
H. B. 166	Page 22
H. B. 626	Page 34
H. B. 638	Page 32
H. B. 639	Page 33
H. B. 317	Page 32
H. B. 324	Page 32
H. B. 584	Page 13
H. B. 568	Page 13

H. B. 569	Page 14
H. B. 570	Page 14
H. B. 571	Page 14
H. B. 572	Page 14
H. B. 573	Page 14
H. B. 574	Page 15
H. B. 575	Page 15
H. B. 576	Page 4
H. B. 577	Page 4
H. B. 578	Page 4
H. B. 579	Page 5
H. B. 960	Page 47
H. B. 550	Page 12
H. B. 62	Page 8

Mr. Calvin offered the following amendment to the Resolution, to-wit:

Amend Senate Resolution No. 80 by placing above H. B. 961 and page 39 the following

H. 627	Page 26
H. 861	Page 27
H. 628	Page 23

Which was adopted.

Mr. Metcalf offered the following amendment to the Resolution, to-wit:

Amend Sen. Resolution No. 80 by placing between H. B. No. 961 and H. B. No. 301 the following bills:

H. B. 816	Page 39
H. B. 486	Page 6

Mr. Coleman moved that the amendment offered by Mr. Metcalf be laid on the table, which motion was lost.

Yeas 15; Nays 20.

Yeas:

Messrs.:	Coleman	Engelhardt	Little
Boutwell	Davis (Lowndes)	Givhan	Reeves
Bradford	Davis (Pickens)	James	Vann
Calvin	Eddins	Jones	Yarbrough (Autauga)

—15

Nays:

Messrs.:	Goodwin	Moses	Skidmore
Allen	Grisham	Newton	Smith
Cantrell	Lamberth	Roberts	Tate
Cooper	Leonard	Robison	Van Antwerp
Dyar	Metcalf	Shelton	Yarbrough (Randolph)
Flowers			

—20

The question then recurred on the amendment offered by Mr. Metcalf, which was adopted.

And the Resolution, S. R. 80, as thus amended, was then adopted by the Senate.

Mr. Yarbrough (Autauga) offered the following Senate Resolution, to-wit:

S. R. 81. Be It Resolved by the Senate of Alabama that the House of Representatives is requested to return the bills H. B.'s 981 and 991, which have passed the Senate, to the Senate for further consideration.

And on motion of Mr. Yarbrough (Autauga), the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Coleman	James	Reeves	Yarbrough (Autauga)
Cooper	Jones	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Tate
Calvin	Goodwin	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Robison	Yarbrough (Randolph)
Dyar			

—32

The Bill:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Coleman	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—32

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 77. Relative to appointing Committee to be known as the Committee of the People for Education, to make recommendations for meeting educational needs in Alabama.

On motion of Mr. Cantrell, said Resolution was laid on the table.

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 75. Authorizing Joint Committee appointed under H. J. R. 8, First Special Session, to meet for not more than sixty days and to make a full report to the Legislature in 1957.

The Rules Committee reported the following amendment to the resolution, to-wit:

Amend H. J. Resolution No. 75 to read "second special session" where the words "first special session" appear.

Which was adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 63. Relative to the intention of the Legislature with regard to the Minimum Program Fund.

On motion of Mr. Robison, said Resolution was laid on the table.

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 72. Requesting Alabama Educational Television Commission to consider televising Alabama-Auburn football game November 26, 1955.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 728. To authorize the issuance of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefor; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 35, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 35

Strike out the first clause of the proposed amendment and substitute in lieu thereof the following:

"In all counties in this State in which there are no city school systems, the county shall have power to levy and collect additional taxes not exceeding \$.55 on each \$100 worth of taxable property in such counties for public school purposes, and in all other counties each school district of each county shall have power to levy and collect additional taxes on the taxable property located in the district of not to exceed \$.55 per \$100 worth of taxable property located in the district for public school purposes."

Yeas 29; Nays 0.

Yeas:

Messrs.:	Bradford	Coleman	Davis (Pickens)
Allen	Calvin	Cooper	Dyar
Boutwell	Cantrell	Davis (Lowndes)	Eddins

Engelhardt	Jones	Moses	Skidmore
Flowers	Lamberth	Roberts	Smith
Givhan	Leonard	Robison	Yarbrough (Autauga)
Goodwin	Little	Shelton	Yarbrough (Randolph)
Grisham	Metcalf		

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint Resolution:

By Messrs. Roberts and Reynolds:

H. J. R. 82. Whereas, the oldest English speaking town in the State is now in its one hundred and fiftieth year;

Whereas, it was in this town that a constitution for the proposed State of Alabama was drafted and transmitted to the United States Congress to become the basis for that body's resolution declaring "the admission of the State of Alabama into the Union";

Whereas, this town has always been progressive having had therein the first organized Presbyterian Church in the State, the first public library in the State, the first State Bank, the first cotton gin, the first textile mill, the first Masonic lodge, the first municipal water system and the first street car;

Whereas, four governors, eight United States Senators and innumerable able legislators from this town have worked faithfully for the prosperity and development of our great State and hence merit the gratitude of the whole State;

Whereas, said town was richly endowed with a plentiful, pure and wholesome water supply, and an abundance of fertile land which have attracted agriculture and diversified industries to the community;

Whereas, excellent transportation facilities serve the town and furnish ready access to and from it via any means of transportation, among which are: the Southern Railroad System, the N. C. & S. L. Railway System, the Capital Airlines, the Eastern Airlines, common carrier barge service on the Tennessee River and the following highways: U. S. 431, U. S. 231, U. S. 7 and Alabama highways 1, 20, 38 and 97.

Whereas, this town is the site of the hub of the Nation's rocket development program, Redstone Arsenal, which employs more than six thousand civilians, and has an annual payroll of more than thirty-three million dollars (\$33,000,000); and

Whereas, the State of Alabama is justly proud of this town, whose natural beauty, able citizens, industrial development and general progress have so often redounded to the benefit of the whole State that one is led to think that it must assuredly be the city from which the first space ship will be launched for a journey to the moon.

Now, Therefore, Be It Resolved By the Legislature of Alabama, Both Houses thereof Concurring:

The Legislature of Alabama hereby extends felicitations to the City of Huntsville and each inhabitant thereof on this its sesquicentennial year, and on behalf of the people of Alabama, hereby thanks the City of Huntsville and her citizens for their numerous contributions to the social, cultural, and economic welfare of the State.

Be It Further Resolved that the Clerk of the House of Representatives send a copy of this resolution to the Mayor of the City of Huntsville and to the Press.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vann, the Rules were suspended and the Resolution, H. J. R. 82, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

And returns same herewith to the Senate.

R. T. GOODWYN,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate non-concurred in the following House amendment to the Bill, S. B. 338, the title of which is set out in the foregoing Message from the House:

SUBSTITUTE FOR S. B. 338

A BILL TO BE ENTITLED AN ACT

To amend Section 728 of Title 51, Code of Alabama 1940, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 728, Title 51, Code of Alabama 1940, as amended, is hereby amended so as to read as follows:

Section 728. The Department of Revenue is hereby authorized and directed to have prepared and distributed stamps suitable for denoting the tax on all articles enumerated herein. Any person, firm, corporation, or association of persons, other than the Department of Revenue, who sells tobacco tax stamps, not affixed to tobacco sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a felony and punishable as set out in Section 734 of this title. When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps a discount of five percent (5%) on the entire amount of the sale. Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber. Every wholesale or jobber purchasing stamps on consign-

ment as described herein, shall be required to make a full and complete accounting and remittance on or before the twentieth of each month for all stamps used on taxable tobaccos during the preceding month. Every wholesaler or jobber refusing or failing to comply with this Section shall forfeit the commission or discount on stamps used which he failed or refused to account or remit for in the time allowed, and in addition shall be charged interest on such delinquent amount for each day delinquent at the rate of eight percent per annum.

And requests Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Boutwell, Bradford and Cooper.

BILLS ON THIRD READING RESUMED

The Bill:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

—35

The Bill:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Van Antwerp
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Amend House Bill 586 by adding at the end of Section 1 the following:

"This appropriation is subject to the condition of the Treasury and the approval of the Governor."

On motion of Mr. Metcalf, said amendment was laid on the table.

Yeas 18; Nays 16.

Yeas:

Messrs.:	Goodwin	Metcalf	Skidmore
Allen	Grisham	Moses	Tate
Cantrell	Lamberth	Newton	Van Antwerp
Dyar	Leonard	Roberts	Yarbrough (Randolph)
Flowers	Little	Shelton	

—18

Nays:

Messrs.:	Cooper	Engelhardt	Reeves
Boutwell	Davis (Lowndes)	Givhan	Robison
Bradford	Davis (Pickens)	James	Smith
Calvin	Eddins	Jones	Yarbrough (Autauga)
Coleman			

—16

On motion of Mr. Metcalf, the Senate reconsidered the vote by which it tabled the Committee amendment to the Bill, H. B. 586.

And said Committee amendment to the Bill was then adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Reeves	Vann
Coleman	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Lowndes)	James		

—33

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James	Robison	

—34

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 82. RESOLVED By the Senate, that when the Senate adjourns today, it adjourns to meet again on Friday, September 2nd, 1955 at 12:00 Noon.

Mr. Skidmore offered the following amendment to the Resolution, to-wit:

Amend Senate Resolution No. 82 to read 10 o'clock A. M. instead of 12 o'clock Noon.

Mr. Cooper moved that the amendment offered by Mr. Skidmore be laid on the table, which motion was lost.

Yeas 12; Nays 22.

Yeas:

Messrs.:	Davis (Lowndes)	Engelhardt	Moses
Bradford	Davis (Pickens)	Givhan	Reeves
Coleman	Eddins	James	Yarbrough (Autauga)
Cooper			

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Nays:

Messrs.:	Flowers	Little	Skidmore
Allen	Goodwin	Metcalf	Smith
Boutwell	Grisham	Newton	Tate
Calvin	Jones	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Randolph)
Dyar	Leonard	Shelton	

—22

The question then recurred on the amendment offered by Mr. Skidmore, which was adopted.

And said Resolution, as thus amended, was then adopted by the Senate.

MOTION TO ADJOURN LOST

At 6:35 P. M., Mr. Bradford moved that the Senate do now adjourn until Friday, September 2, 1955, at 10 o'clock A. M., which motion was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Cooper	Goodwin	Reeves
Boutwell	Davis (Lowndes)	James	Smith
Bradford	Davis (Pickens)	Jones	Vann
Calvin	Dyar	Little	Yarbrough (Autauga)
Coleman	Engelhardt		

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Nays:

Messrs.:	Givhan	Moses	Skidmore
Allen	Grisham	Newton	Tate
Cantrell	Lamberth	Roberts	Van Antwerp
Eddins	Leonard	Robison	Yarbrough (Randolph)
Flowers	Metcalf	Shelton	

—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Branyon, Brown (Lamar) and Davis.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 206, the title of which is set out in the foregoing Message from the House.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Lamberth, Eddins and Flowers.

BILLS ON THIRD READING RESUMED

The Bill:

H. 17. To create a State Department of Pensions and Security, a State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the

rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Was read a third time at length and passed.

Yeas 18; Nays 16.

Yeas:

Messrs.:	Flowers	Little	Shelton
Allen	Goodwin	Metcalf	Smith
Cantrell	Grisham	Newton	Van Antwerp
Dyar	Lamberth	Reeves	Vann
Eddins	Leonard	Roberts	

—18

Nays:

Messrs.:	Cooper	Givhan	Skidmore
Boutwell	Davis (Lowndes)	James	Tate
Bradford	Davis (Pickens)	Jones	Yarbrough (Autauga)
Calvin	Engelhardt	Robison	Yarbrough (Randolph)
Coleman			

—16

The Bill:

H. 216. To make an appropriation for the support of the Council of State Governments.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	

—34

The Bill:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Bradford	Davis (Lowndes)	Eddins
Allen	Calvin	Davis (Pickens)	Engelhardt
Boutwell	Cantrell	Dyar	Flowers

Givhan	Leonard	Roberts	Tate
Goodwin	Little	Robison	Van Antwerp
Grisham	Metcalf	Shelton	Vann
James	Newton	Skidmore	Yarbrough (Autauga)
Jones	Reeves	Smith	Yarbrough (Randolph)
Lamberth			

—32

The Bill:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Tate
Calvin	Goodwin	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—33

The Bill:

H. 221. Relating to Department of Revenue: to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Goodwin	Moses	Tate
Cantrell	Grisham	Newton	Van Antwerp
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones	Roberts	Yarbrough (Randolph)

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Nays: Messrs. Coleman and Cooper.

—2

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Thirty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Fifth Legislative Day was approved by the Senate.

ADJOURNMENT

At 7:10 P. M., on motion of Mr. Cooper, the Senate adjourned until Friday, September 2, 1955, at 10 o'clock A. M.

Yeas 20; Nays 15.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Shelton
Boutwell	Davis (Pickens)	Goodwin	Smith
Bradford	Dyar	James	Vann
Calvin	Eddins	Little	Yarbrough (Autauga)
Coleman	Engelhardt	Robison	Yarbrough (Randolph)
Cooper			

—20

Nays:

Messrs.:	Grisham	Metcalf	Roberts
Allen	Jones	Moses	Skidmore
Cantrell	Lamberth	Newton	Tate
Flowers	Leonard	Reeves	Van Antwerp

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THIRTY-SIXTH LEGISLATIVE DAY FRIDAY, SEPTEMBER 2, 1955

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend David Cauly, Member, Methodist Board of Education, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate, Bills, respectively, and finds same correctly enrolled, to-wit:

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Also:

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

Also:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Also:

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

Also:

S. 127. To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

Also:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

Also:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Also:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

Also:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Also:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

Also:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part thereof, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Also:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Robison
Allen	Dyar	Jones	Shelton
Boutwell	Eddins	Lamberth	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)

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RESOLUTIONS

The Rules Committee offered the following resolution to-wit:

S. R. 83. RESOLVED by the Senate that on the call of the calendar today the following shall be the special, paramount and continuing order of business superseding all previous and prior Special Orders.

All Local Bills and General Bills with Local Application.

H. BILL	PAGE
59	2
375	2
550	12
62	13
355	4
960	12
568	9
569	9
570	9
571	10
572	10
573	10
574	10
575	10
576	11
577	11
578	11
579	12
179	29
85	23

Which was adopted.

RECESS

At 10:29 A.m., on motion of Mr. Calvin, the Senate took a recess until 10:45 A.M.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Cooper	Engelhardt	Little
Boutwell	Davis (Lowndes)	Givhan	Robison
Bradford	Davis (Pickens)	Grisham	Smith
Calvin	Dyar	James	Yarbrough (Autauga)
Coleman	Eddins		

—17

Nays:

Messrs.:	Jones	Moses	Skidmore
Allen	Lamberth	Newton	Tate
Cantrell	Leonard	Roberts	Van Antwerp
Flowers	Metcalf	Shelton	Yarbrough (Randolph)
Goodwin			

—16

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

—35

RESOLUTIONS

Messrs. Boutwell and Lamberth offered the following Senate Resolution, to-wit:

S. R. 84. Be it resolved by the Senate of Alabama: That the members of the Senate do hereby express their recognition and appreciation of the fair and impartial, and highly capable, manner in which the President of the Senate, the Honorable W. G. Hardwick, has presided over the deliberations of this body and performed the arduous duties of President of the Senate during the current session of the Legislature.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution was unanimously adopted.

Messrs. Boutwell and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 85. Be it resolved by the Legislature of Alabama, both houses thereof concurring, That the members of the Legislature do hereby express their deep appreciation to the staff of the Legislative Reference Service for their prompt, courteous, and valuable assistance

in the preparation of bills and factual reports for the members of the Legislature during and preceding the 1955 regular session of the Legislature.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Boutwell and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 86. Be it resolved by the Legislature of Alabama, both houses thereof concurring: That the Legislature of Alabama hereby takes this means of expressing the appreciation of each member of the Legislature to the governing authority of the City of Montgomery, other city officers and employees, civic organizations, and citizens of Montgomery for the many courtesies and favors, and the warm hospitality, so generously accorded the members of the Legislature during this session of the Legislature.

And on motion of Mr. Boutwell, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Boutwell and Lamberth offered the following Senate Resolution, to-wit:

S. R. 87. Whereas the Secretary of the Senate and the Senate employees under his supervision have administered the details of the work of this House in a highly efficient manner and have consistently extended their full cooperation to the members of the Senate,

Be it resolved by the Senate of Alabama: That the members of the Senate hereby commend the Secretary of the Senate and the employees under his supervision for the efficient manner in which they have performed their duties; and that the Senators, by means of this resolution, do express their appreciation to the Secretary of the Senate and the employees in his office for their cooperation and assistance during this session of the Legislature.

And on motion of Mr. Boutwell, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Boutwell and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 88. Be it resolved by the Legislature of Alabama, both Houses thereof concurring: That the members of the Legislature express their thanks and appreciation to James V. Jordan, Budget Officer of the State of Alabama, for the valuable advice and assistance which he has rendered the Legislature, its members and committees, during the current session of the Legislature.

And on motion of Mr. Boutwell, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Boutwell and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 89. Be it Resolved by the Legislature of Alabama, Both Houses Thereof Concurring: That the Legislature hereby expresses its appreciation of the expert advice and valuable assistance rendered the Legislature during this session by Raymond Fowler, Secretary-Treasurer of the Retirement Systems of the State of Alabama.

And on motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 79. Relative to naming Senate Bill 21, the "Newton, Shumate, and Selman Bill."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 75. Relative to Committee appointed under the authority of House Joint Resolution No. 8.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Dawkins, Kendall and Davis.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate to return to the Senate for further consideration the bill:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

And sends same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Yarbrough (Autauga), the Senate reconsidered the vote by which it passed the Bill, H. B. 991, the title of which is set out in the foregoing Message from the House.

On Motion of Mr. Yarbrough (Autauga), further consideration of the Bill, H. B. 991, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate to return to the Senate for further consideration the bill:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

And sends same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Yarbrough (Autauga), the Senate reconsidered the vote by which it passed the Bill, H. B. 981, the title of which is set out in the foregoing Message from the House.

On motion of Mr. Yarbrough (Autauga), further consideration of the Bill, H. B. 981, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Selman:

H. J. R. 84. Be It Resolved by the House of Representatives, the Senate Concurring: That Senate Bill 22, which has passed both houses, be known as the "Newton, Shumate, and Selman Bill."

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Newton, the Rules were suspended and the Resolution, H. J. R. 84, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Goodwyn, Dawkins, Nolen, McLendon and Fite:

H. J. R. 85. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING; That the members of the Legislature have learned with deep regret of the death of the father of Representative H. James Hall, Mr. John Henry Hall, who died on the night of September 1, 1955, at the Bullock County Hospital in Union Springs; and the members of the Legislature do hereby extend their sincere sympathy to Representative Hall and his family for their great loss.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 85, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell

Bradford
Calvin

Cantrell
Coleman

Dyar
Eddins

Engelhardt	Lamberth	Moses	Smith
Flowers	Leonard	Newton	Tate
Givhan	Little	Skidmore	Van Antwerp
Goodwin	Metcalf		

—21

The Bill:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

II. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Moses	Shelton
Boutwell	Engelhardt	Newton	Skidmore
Bradford	Grisham	Reeves	Vann
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—21

The Bill:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Shelton
Allen	Dyar	Newton	Skidmore
Boutwell	Eddins	Reeves	Vann
Bradford	Engelhardt	Roberts	Yarbrough (Autauga)
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		

—21

The Bill:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Goodwin	Moses
Allen	Dyar	Lamberth	Newton
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan		

—21

The Bill:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 1012

Amend the title and line 5 of the proposed amendment by adding "Colbert County" thereto.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Cooper	Davis (Pickens)
Calvin	Coleman	Davis (Lowndes)	Flowers

Givhan
Goodwin
Grisham
James

Jones
Metcalf
Moses
Newton

Reeves
Roberts
Robison

Tate
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

And said Bill, as thus amended, was then read a third time at length, as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Calvin
Cantrell
Coleman
Cooper
Davis (Lowndes)

Davis (Pickens)
Flowers
Givhan
Goodwin
Grisham
James

Jones
Metcalf
Moses
Newton
Reeves

Roberts
Robison
Tate
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas

Messrs.:
Allen
Boutwell
Bradford
Cooper
Davis (Lowndes)

Davis (Pickens)
Engelhardt
Flowers
James
Jones
Lamberth

Leonard
Little
Reeves
Roberts
Robison

Shelton
Skidmore
Smith
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Tate
Allen	Dyar	Lamberth	Van Antwerp
Boutwell	Eddins	Moses	Vann
Bradford	Engelhardt	Newton	Yarbrough (Autauga)
Calvin	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Flowers	Lamberth	Robison
Boutwell	Givhan	Moses	Shelton
Bradford	Goodwin	Newton	Skidmore
Calvin	Grisham	Reeves	Vann
Davis (Lowndes)	James		

—21

The Bill:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Calvin	Dyar	Lamberth	Robison
Cantrell	Eddins	Leonard	Van Antwerp
Coleman	Goodwin	Little	Yarbrough (Autauga)
Cooper	Grisham	Metcalfe	Yarbrough (Randolph)
Davis (Lowndes)	James		

—21

The Bill:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Robison
Allen	Davis (Lowndes)	James	Skidmore
Boutwell	Davis (Pickens)	Little	Smith
Bradford	Eddins	Moses	Tate
Calvin	Engelhardt	Reeves	Vann
Coleman	Flowers		

—21

The Bill:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Metcalf	Vann
Calvin	Givhan	Moses	Yarbrough (Autauga)
Cooper	Goodwin	Shelton	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of seven hundred fifty dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Reeves	Vann
Calvin	Givhan	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—21

The Bill:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Tate
Allen	Flowers	Metcalf	Van Antwerp
Boutwell	Givhan	Moses	Vann
Calvin	Goodwin	Newton	Yarbrough (Autauga)
Dyar	Lamberth	Smith	Yarbrough (Randolph)
Eddins	Leonard		

—21

The Bill:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Jones	Shelton
Allen	Flowers	Leonard	Skidmore
Boutwell	Givhan	Little	Smith
Calvin	Goodwin	Metcalf	Tate
Dyar	Grisham	Robison	Vann
Eddins	James		

—21

The Bill:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Roberts	Tate
Allen	James	Robison	Van Antwerp
Boutwell	Jones	Shelton	Vann
Calvin	Lamberth	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Leonard	Smith	Yarbrough (Randolph)
Goodwin	Little		

—21

The Bill:

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Pickens)	Engelhardt
Allen	Cooper	Dyar	Flowers
Boutwell	Davis (Lowndes)	Eddins	Givhan

Jones
Lamberth
Leonard

Little
Robison
Shelton

Skidmore
Van Antwerp

Vann
Yarbrough (Autauga)

—21

The Bill:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Calvin
Coleman
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin

Grisham
Lamberth
Leonard
Robison
Shelton

Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Boutwell
Davis (Lowndes)
Davis (Pickens)
Dyar
Eddins

Engelhardt
Grisham
James
Jones
Lamberth
Leonard

Little
Reeves
Roberts
Robison
Shelton

Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell

Coleman
Cooper
Davis (Lowndes)

Davis (Pickens)
Dyar
Flowers

Givhan
Leonard
Little

Metcalf	Skidmore	Van Antwerp	Yarbrough (Autauga)
Newton	Smith	Vann	Yarbrough (Randolph)
Shelton	Tate		

—21

The Bill:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Shelton
Allen	Dyar	Leonard	Skidmore
Boutwell	Eddins	Little	Smith
Bradford	Engelhardt	Roberts	Yarbrough (Autauga)
Calvin	Flowers	Robison	Yarbrough (Randolph)
Cantrell	Givhan		

—21

The Bill:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Roberts
Allen	Davis (Pickens)	James	Robison
Boutwell	Dyar	Jones	Shelton
Cantrell	Eddins	Lamberth	Van Antwerp
Coleman	Flowers	Leonard	Yarbrough (Autauga)
Cooper	Givhan		

—21

The Bill:

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Jones	Moses
Allen	Cooper	Lamberth	Newton
Boutwell	Dyar	Leonard	Roberts
Bradford	Engelhardt	Little	Shelton
Calvin	Givhan	Metcalf	Skidmore
Cantrell	James		

—21

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Yarbrough (Autauga), further consideration of the Bill, H. B. 1009, was indefinitely postponed by the Senate.

On motion of Mr. Shelton, further consideration of the Bill, H. B. 990, was indefinitely postponed by the Senate.

On motion of Mr. Allen, further consideration of the Bills, H. B.'s 142 and 143, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act Relating to Counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

Also:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Also:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Also:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Also:

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

Also:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Also:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish,

maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Also:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Also:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census; Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Also:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

Also:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation;

to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Also:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Also:

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama. .

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Also:

H. 976. To regulate the meetings of the county board of education of Lamar County.

Also:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Also:

H. 812. To amend Code of Alabama, Title 51, Section 606.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Also:

H. 968. To Alter, Rearrange, and Increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Also:

H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Also:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth

Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Also:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Also:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Also:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Also:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require such officers to pay in to the County Treasury of such County, or Counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Also:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or

more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Also:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Also:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 41. Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

Also:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Also:

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions your signature thereto is requested.

H. J. R. 78. Relative to Committee appointed pursuant to H. J. R. 43 being authorized to continue its investigation after sine die adjournment of this session of the Legislature.

Also:

H. J. R. 79. Relative to naming House Bill 377.

Also:

H. J. R. 80. Relative to requesting the State Board of Education to consider locating one of the additional trade schools in Russell County.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County, authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

Also:

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

Also:

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Also:

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide

that the provisions of such act are severable, and to provide when this Act shall become effective.

Also:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Also:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

Also:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Also:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes

provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Also:

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Also:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Also:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Also:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Also:

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town

in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Also:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Also:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

Also:

H. 470. To provide further for the construction, maintenance, and operation of trade schools.

Also:

H. 993. To Alter and Extend the Boundaries of the City of Birmingham; To provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of

the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Also:

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide

for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Also:

H. 728. To authorize the issuance of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefor; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Also:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Also:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 216. To make an appropriation for the support of the Council of State Governments.

Also:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Also:

H. 17. To create a State Department of Pensions and Security, a State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Also:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Also:

H. 221. Relating to Department of Revenue: To authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of section 648 of Title 51, Code of Alabama, 1940.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Also:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Also:

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Also:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

Also:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Also:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Also:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama."

Also:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Also:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Also:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Also:

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Also:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Also:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Also:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Also:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Also:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Also:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or

any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Also:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

Also:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Also:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Also:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

Also:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes.

Also:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Also:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand and not more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions your signature thereto is requested.

H. J. R. 72. Relative to televising the Alabama-Auburn football game.

Also:

H. J. R. 75. Relative to H. J. R. 8 of the Second Special Session of 1955 which appointed a committee to investigate certain matters relative to the Relative Responsibility Law as it affects patients at the Alabama Insane Hospital; authorizing the committee to continue its investigation.

Also:

H. J. R. 82. Relative to extending felicitations to the City of Huntsville and her citizens for their numerous contributions to the social, cultural, and economic welfare of the State.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Also:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Also:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Kelly:

H. J. R. 89. BE IT RESOLVED by the House of Representatives, the Senate Concurring: That House Bill 17, which has passed both houses, be known as the "Kelly, Davis, Adams, Albea, Ashworth, Bassett, Branyon, Brassell, Brewer, Broadfoot, Brooks, Brown (Lamar), Burkhalter, Callahan, Cox, Dawkins, deGraffenried, Dement, Edwards (Escambia), Faulk, Ferrell, Fite, Gist, Gregory, Grouby, Hall, Hanby, Hare, Harrison, Hodges, Holliman, Huddleston, Hunt, Jenkins, Johnson (Elmore), Johnson (Tallapoosa), Lackey, Law, Lee (Barbour), Lee (Lawrence), Love, McClendon, McKay, McNider, Martin, Mathews, Mathison, Meeks, Money, Murphy, Oden, Payne, Pirkle, Ramey, Reynolds, Roberts, Shumate, Simon, Solomon, Speaks, Steagall, Stembridge, Stokes, Taylor, Thomas, Tyson, Vacca, Ward, Windle, Allen, Cantrell, Dyar, Eddins, Flowers, Goodwin, Grisham, Lamberth, Leonard, Little, Metcalf, Newton, Reeves, Roberts, Shelton, Smith, Van Antwerp, and Vann Bill."

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Rules were suspended and the Resolution, H. J. R. 89, set out in the foregoing Message from the House, was concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the vote by which it concurred in and adopted the Senate amendment to the bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections;

to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

And has non-concurred in the Senate amendment to the bill. And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House Messrs. Meeks, Edwards (Jefferson) and Vacca.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 963, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Boutwell, James and Engelhardt.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Civil Service Board of the City of Anniston.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

September 2, 1955.

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Civil Service Board of the City of Anniston, Alabama:

Aubrey H. Arnold, Anniston, Alabama, succeeding Mrs. Charles F. Doster, for the term expiring September 11, 1957.

Richard McNeal, Anniston, Alabama, for the term expiring September 11, 1961.

Respectfully,
JAMES E. FOLSOM,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Shelton, the foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Also:

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and to repeal conflicting laws.

Also:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

Also:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Also:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Also:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 243. To authorize and make provision for the incorporation in

any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Also:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1¢) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax;

to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 79. Relative to naming Senate Bill 21.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Newton offered the following Senate Resolution, to-wit:

S. R. 90. RESOLVED by the Senate that the House is hereby requested to return to the Senate H. B. 1012 for further consideration.

And on motion of Mr. Newton, the Rules were suspended and the Resolution was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power

of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

Was taken up.

Mr. Boutwell offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 969

Amend Section 5 of H. B. 969 by adding immediately after the word "Governor" the following: "Whenever a vacancy occurs, more than four months before a general election, the Governor shall forthwith order an election to be held by the qualified electors comprising the electors in the precincts over which the court has jurisdiction to elect a judge for the unexpired term. If the vacancy occurs within four months of, but before sixty days of, a general election the vacancy shall be filled at that election. If the vacancy occurs within sixty days before a general election, the Governor shall order a special election to be held on the first Tuesday after the lapse of sixty days from and after the day on which the vacancy is known to the Governor, and the judge elected at such special election shall hold office for the unexpired term.

Also amend Section 6 of H. B. 969 by striking therefrom the words and figures "eight thousand, four hundred dollars (\$8,000)" and inserting in lieu thereof "seven thousand five hundred dollars (\$7,500.00)."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Roberts	Tate
Allen	Dyar	Robison	Van Antwerp
Boutwell	Eddins	Shelton	Vann
Coleman	Engelhardt	Skidmore	Yarbrough (Autauga)
Cooper	Goodwin	Smith	Yarbrough (Randolph)
Davis (Lowndes)	Moses		

—21

Mr. Boutwell also offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO HOUSE BILL 969

Amend Section 5 by striking therefrom the figures "1961" and inserting in lieu thereof the figures "1959".

Also, by striking the figures "1960" and inserting in lieu thereof the figures "1958".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Roberts
Boutwell	Flowers	Little	Robison
Calvin	Grisham	Metcalf	Smith
Cantrell	James	Newton	Tate
Coleman	Jones	Reeves	Yarbrough (Randolph)
Cooper	Lamberth		

—21

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Boutwell	Dyar	Little	Smith
Calvin	Eddins	Metcalf	Vann
Coleman	Engelhardt	Reeves	Yarbrough (Autauga)
Cooper	Goodwin	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

The Bill:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Was read a third time at length and passed.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Eddins	Little	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Goodwin	Reeves	Vann
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Cooper	Lamberth	Robison	Yarbrough (Randolph)
Dyar	Leonard		

—30

Nays: Coleman, Davis (Pickens), and James.

—3

The Bill:

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Dyar	James	Reeves
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Cantrell	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Pickens)			

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Nays: Roberts and Tate.

—2

The Bill:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Was read a third time at length and passed.

Yeas 33 Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		

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RESOLUTION

Mr. Flowers offered the following Senate Resolution, to-wit:

S. R. 91. Be it resolved by the Senate that the entire Press of the State of Alabama be commended for the fair and impartial and courageous coverage in newspapers of the activities of this Senate for the Regular Session of 1955.

Which was read and referred to the Standing Committee on Rules.

RECESS

At 12:15 P.M., on motion of Mr. Davis (Lowndes), the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
THIRTY-SIXTH LEGISLATIVE DAY
FRIDAY, SEPTEMBER 2, 1955

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 86. Relative to expressing appreciation of the members of the Legislature to the governing authority of the City of Montgomery, other city officers and employees, civic organizations, and citizens of Montgomery for the many courtesies and favors, and the warm hospitality, so generously accorded them during this session of the Legislature.

Also:

S. J. R. 89. Expressing appreciation of the members of the Legislature to Mr. Raymond Fowler, Secretary-Treasurer of the Retirement Systems of the State of Alabama.

Also:

S. J. R. 85. Expressing appreciation of the members of the Legislature to the staff of the Legislative Reference Service.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Meeks:

H. J. R. 90. WHEREAS, the Honorable George C. Hawkins has rendered outstanding service in the Legislature of Alabama as a member of the House, Speaker Pro Tem, Chairman of Ways and Means Committee and as Floor Leader; and

WHEREAS, the Honorable George C. Hawkins has been singularly honored in having been elected a Fellow in the International Academy of Trial Lawyers, an organization which limits its membership to five hundred of the world's leading trial lawyers.

BE IT RESOLVED by the House, the Senate concurring, that the Legislature of Alabama extends its heartiest congratulations to the Honorable George C. Hawkins upon his being elected a Fellow in the International Academy of Trial Lawyers.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Rules were suspended and the Resolution, H. J. R. 90, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 963. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON DISAGREEMENT OF THE TWO HOUSES ON SENATE AMENDMENT TO HOUSE BILL 963

We, your Committee of Conference, heretofore appointed on disagreement of the two Houses on the Senate amendment to the bill, H. 963, beg leave to report as follows:

1. That the House adopt Senate amendment to the bill and further that Section 10 of said bill be stricken and the following be substituted in lieu thereof:

"Section 10. This Act shall become effective twenty days after its passage and approval by the Governor."

J. PAUL MEEKS
JESS EDWARDS
PASCHAL VACCA
Conferees on part of the House.
ALBERT BOUTWELL
S. M. ENGELHARDT, JR.
H. P. JAMES,
Conferees on part of the Senate.

And the bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district

a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Boutwell, the Senate concurred in and adopted the foregoing report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 963, the title of which and said Conference report are set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Boutwell	Eddins	Little	Shelton
Coleman	Grisham	Metcalf	Skidmore
Cooper	James	Moses	Van Antwerp
Davis (Lowndes)	Jones	Roberts	Vann
Davis (Pickens)	Lamberth		

—21

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Also:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Also:

S. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 62. Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Was taken up.

Mr. Bradford offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 62

A BILL TO BE ENTITLED AN ACT

Authorizing the creation of a public corporation within any county in the State which shall have the power to construct, lease, own and operate projects for irrigation and other purposes, sell water and have certain other powers and duties; prescribing the means and fixing the responsibility for the issuance of permits to the Corporation for construction and operation of projects and fixing the responsibility regarding compliance with the terms of the permit; authorizing the issuance

of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of any county of this State is hereby authorized to declare, by the adoption of an appropriate resolution, the need for the formation of a County Water Conservation and Irrigation Corporation, or other such corporation as herein provided for. Upon the adoption of such resolution the governing body shall appoint five persons, each of whom must be a duly qualified elector and property owner in the county, who shall form the board of directors of such corporation and shall proceed to organize such corporation.

Section 2. The certificate of incorporation of the corporation shall state: The names of the persons forming the corporation together with the residence of each thereof and a statement that each of them is a duly qualified elector of and property owner in the county; the name of the corporation; the location of its principal office, which shall be in the county seat of the county; and any other matters relating to the corporation which the incorporators may choose to insert and which shall not be inconsistent with this Act or with the laws of the State. The name designated for the corporation in the certificate of incorporation shall be one indicating the purpose thereof, such as "..... County Water Conservation and Irrigation Corporation" or some other name of similar import. The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the State to take acknowledgements of deeds, and the certificate of incorporation shall have attached thereto a certified copy of the resolution provided for in Section 1, and a certificate by the Secretary of State that the name proposed for the corporation is not identical with that of any other corporation in the State or so nearly similar thereto as to lead to confusion and uncertainty.

Section 3. The certificate of incorporation with the documents attached shall be filed with the Judge of Probate of the county and the Secretary of State, who shall forthwith receive and record the same. When such certificate is so filed the corporation referred to therein shall come into existence and shall constitute a body corporate and politic, vested with the rights and powers herein granted.

Section 4. All powers of the corporation shall be exercised by the board of directors or pursuant to its authority. The directors shall be elected by the governing body of the county for staggered terms of office as follows: two years, three years, four years, five years, and six years; and thereafter the term of office of each director shall be six years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county, the governing body shall elect a successor to serve for the unexpired term. Directors shall be eligible for re-election by the county governing body to succeed themselves in office. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary, and a treasurer, but the office of secretary and treasurer may be held by the same person. All officers shall be elected by the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their

duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well bound book. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified.

Section 5. A corporation organized and established under the provisions of this Act shall have the following powers, subject only to the limitations described in Section 6 following:

a. To adopt bylaws for the regulation of its affairs and the conduct of its business.

b. To adopt an official seal and alter the same at pleasure.

c. To maintain a principal office at the county seat, and sub-offices at such place or places within the county as it may designate.

d. To sue and be sued in its own name.

e. To enter into contracts and agreements or do any act necessary or incidental to the performance of its duties and execution of its powers under this Act.

f. To acquire, hold and dispose of real and personal property or any interests therein.

g. To provide a water supply by impounding a stream or by development and use of wells by either construction, lease, or purchase.

h. To develop and operate an irrigation project, including the facilities necessary thereto, either by construction, lease, or purchase.

i. To provide for the control of floods by impounding surplus water or by other means to the extent that such work is economically feasible and desirable and not opposed to the need of water for irrigation.

j. To provide for multiple purpose developments where such are feasible and not in conflict with need of water for irrigation use, including developments for water power and water for municipal and industrial uses.

k. To establish rates for water and power sold to irrigators, municipalities, industries, and other customers, and authorize collection therefor, such rates to be determined on the basis of the revenue required to operate and maintain the development and for amortization of bonded indebtedness.

l. To issue revenue bonds and refunding bonds in accordance with the provisions of this Act.

m. To promulgate such rules and regulations as may be required for the reasonable and efficient conduct of its business.

n. To enter into agreements and contracts with agencies of the Federal Government in relation to any project or work undertaken or proposed by the corporation.

o. To enter into agreements or contracts relating to irrigation with other similar corporations for the development of a common watershed where development for water power is not included. Provided, however, that any such agreements must receive the prior approval of the Director of the State Department of Conservation.

p. To accept gifts from any source whatever.

q. To have and exercise the right of eminent domain in the manner provided in Title 19, Code of Alabama 1940, as amended, for the condemnation of private properties for public use.

Section 6. Before any construction work on any project may be undertaken by any corporation created under the terms of this Act, said corporation shall apply to the Director of the State Department of Conservation for a permit authorizing the proposed development. The corporation shall furnish with the application for permit the following information: preliminary plans consisting of maps, plats, plans and drawings, showing the general features of the development or developments it proposes to make, with amount of water which will be required as related to the naturally available supply, the land areas, and, if a multiple purpose project, the other clients which will benefit from the development, and such other details as may be needed to make clear the extent and scope of the project. The said Director shall make or have made a study of the water needs of the project as compared to the available supply and as related to the existing or anticipated needs of other water users in the basin who may be affected by the proposed development, making use of such studies or open public hearings as may, in his judgment, be required. Based on his findings, authority to develop as proposed or as modified for the purpose of protecting and conserving water supplies for others shall be granted. It shall further be the duty of the said Director to systematically check into the construction and operation of projects for which permits have been granted to ascertain if corporation is complying with the terms and conditions of the permit. In the event any corporation is found not to be complying with the terms and conditions of the permit issued by said Director, said Director forthwith shall notify the corporation in writing in what manner the terms and conditions of the permit are being violated and said corporation shall have thirty days after receipt of said notice to rectify or correct whatever violations are being committed. In the event corrections are not made at the end of the thirty day period or any extension of time which the said Director shall have the authority to give, the Director shall make application in proper form to the Circuit Court in the county or counties in which such violation is located for a court order making mandatory the correction which he deems necessary.

Section 7. In the event that a State agency other than the State Department of Conservation may hereafter be charged with such responsibility as is in this Act charged to the State Department of Conservation, the terms "Director", "said Director" or "Director of the State Department of Conservation" wherever used in this Act shall be construed to mean the executive head of the State agency so charged.

Section 8. Any such corporation is hereby authorized to provide by resolution for the issuance of bonds of the corporation for any of its corporate purposes, including the refunding of its bonds. The principal of and the interest on any issue of such bonds shall be payable solely from, and may be secured by a pledge of, tolls, rentals, sales receipts and other revenues of all or any part of the project or projects financed in whole or in part with the proceeds of such bond issue or with the proceeds of bonds refunded or to be refunded by such issue. The proceeds of any such bonds may be used or pledged for the payment or security of the principal or of the interest on bonds, and for the establishment of any or all reserves for such payment or security, or for other corporate purposes as the corporation may authorize in the resolution authorizing the issuance of bonds or in the trust agreement securing the same. The bonds of each issue shall be dated; shall bear interest not in excess of six per cent per annum; shall mature at such time or times, not exceeding forty (40) years from their date or dates, as may be determined by the corporation; and may be made redeemable before maturity, at the option of the corporation, at such price or prices, and under such terms and conditions, as may be fixed by the corporation prior to the issuance of the bonds. The amount of premium on any bond shall not cause the yield to be more than six per cent per annum

from the date of such bonds to the date of their redemption. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State. The bonds shall be signed by the president of the corporation or shall bear his facsimile signature; and the official seal of the corporation or a facsimile thereof shall be impressed, imprinted, engraved, or otherwise reproduced thereon. The official seal or a facsimile thereof shall be attested by the secretary of the corporation, or shall bear his facsimile signature and any coupons attached thereto shall bear the facsimile signature of the president of the corporation. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. The bonds may be issued in coupon or in registered form, or both, as the corporation may determine; and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The corporation may sell such bonds in such manner and for such price, as it may determine to be for the best interest of the corporation.

The corporation shall have power from time to time, in anticipation of the issuance of bonds, to issue notes, and from time to time to issue renewal notes maturing not later than three years from their respective dates, in an amount not exceeding the amount of bonds issued under the provisions of this Act. The authorization and issuance of such notes, the interest thereon, the rights of the holders thereof, and the rights, duties, and obligations of the corporation in respect thereto, shall be governed by the provisions of this Act with respect to the issuance of bonds, insofar as the same may be applicable.

The corporation may, out of any funds available therefor, purchase notes or bonds, which shall thereupon be cancelled, at not more than the redemption price then applicable, or, if not then redeemable, at a premium of not more than one per cent of their face amount, plus accrued interest to the date of purchase.

Neither the members of the corporation nor any person executing the notes or bonds shall be personally liable on the notes or bonds, or be accountable by reason of the issuance thereof in accordance with the provisions of this Act.

The proceeds of the bonds of each issue shall be disbursed in such manner and under such restrictions as the corporation may provide in the resolution authorizing the issuance of the bonds, or in the trust agreement, hereinafter mentioned, securing the bonds.

Prior to the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this Act without obtaining the consent of any department, division, commission, board, bureau, or agency of the State, and without any other proceedings of the happenings of any other

conditions or things than those proceedings, conditions, or things which are specifically required by this Act.

Section 9. The corporation may provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of constructing improvements, extensions or enlargements of the project or projects in connection with which the bonds to be refunded shall have been issued. The corporation is further authorized to provide by resolution for the issuance of its bonds for the combined purpose of (a) refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereof and any interest accrued or to accrue to the date of redemption of such bonds, and (b) paying all or any part of the cost of any additional project or projects. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the corporation in respect to the same, shall be governed by the provisions of this Act insofar as the same may be applicable.

Section 10. At the discretion of the corporation, any bonds issued under the provisions of this Act may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company, or bank having the powers of a trust company, within or without the State. The trust agreement, or the resolution providing for the issuance of such bonds (subject to the provisions of Section 6 of this Act), may pledge or assign tolls, rentals, sales receipts, or other revenues to which the corporation's right then exists or which may thereafter come into existence, and the moneys derived therefrom, and the proceeds of such bonds; provided, however, that the trust agreement or resolution shall not convey or mortgage any project or any part thereof. Such trust agreement or resolution providing for the issuance of bonds, may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including: Covenants setting forth the duties of the corporation in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation, and insurance of the project or projects; the rates of tolls, rentals, sales receipts, and other revenues to be charged; the payment, security, or redemption of bonds, and the custody, safeguarding, and application of all moneys; and provisions for the employment of consulting engineers in connection with the construction or operation of such project or projects. It shall be lawful for any bank or trust company incorporated under the laws of this State which may act as depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Any trust agreement or resolution may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual rights of action by bondholders. In addition to the foregoing, any trust agreement or resolution may contain such other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of any trust agreement may be treated as a part of the cost of the operation of the project or projects.

Any pledge of tolls, rentals, sales receipts, other revenues, or moneys made by the corporation shall be valid and binding from the time the pledge is made. The tolls, rentals, sales receipts, other revenues, or moneys so pledged and thereafter received by the corporation, except that part of the tolls, rentals, sale receipts, other revenues, or moneys

which are necessary to maintain the project or projects in good operating condition, or to pay the reasonable operating expenses of the corporation, or any judgment rendered against it, shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the corporation. If such trust agreement should be offered for record it shall be filed and recorded without the payment of the mortgage tax required by Article 2, Chapter 20, Title 51, Code of Alabama, 1940. The corporation may, at its discretion, enter into any supplement to such trust agreement, which supplement shall be governed, so far as may be, by the same provisions of this Act as are applicable to the trust agreement.

Section 11. Bonds issued by the corporation under the provisions of this Act are hereby made securities in which the State and all political subdivisions of this State, their officers, boards, commissions, departments, or other agencies, all banks, bankers, savings banks, trust companies, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever who now are or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds including capital belonging to them or within their control. The bonds, or other securities or obligations, are hereby made securities which properly and legally may be deposited with, and received by, any State or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is now or hereafter may be authorized by law.

Section 12. No bond or other obligation of such a corporation shall be deemed to be the obligation of or a claim against the State or a county thereof.

Section 13. All counties, cities, towns, and other political subdivisions, and all public departments, agencies, and commissions of the State of Alabama, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant, or convey to the corporation at its request, upon such terms and conditions as the proper authorities of such counties, cities, towns, political subdivisions, and departments, agencies, or commissions of the State may deem reasonable and fair, and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the corporation, which real property may include public roads and other real property already devoted to public use.

Section 14. Before construction is started on any project, the corporation shall advertise for sealed bids once each week for three consecutive weeks in a newspaper of general circulation in the county in which the project or undertaking is to be located; the corporation may also advertise in such other publications as it may deem advisable. Such notices shall state that plans and specifications for the project are on file in the office of the corporation, and the time and place in which bids will be received and opened. All bids shall be opened publicly at the advertised time and place.

The contract shall be awarded to the lowest responsible bidder complying with the conditions of the invitations for bids, unless the corporation finds that his bid is unreasonable or that it is not to the interest of the corporation to accept it. The bidder to whom the award is made shall be notified by telegram or letter at the earliest possible date. Should the successful bidder fail or refuse to sign the contract or make bond, the corporation may award the contract to the second responsible bidder. Should the second lowest bidder fail or refuse to sign the contract or make bond, the authority may award the contract to the third lowest responsible bidder.

Should no bids be received at the time stated in the advertisement for bids, the corporation may advertise for and seek other competitive bids, or the corporation may direct that the work shall be done by negotiated contracts under its direction and control. If the corporation finds that all bids received are unreasonable and that it is not to the interest of the corporation to accept any of the bids the corporation may direct that the work shall be done by negotiated contracts under its direction and control. On any construction project which the corporation has determined to do by negotiated contract, the corporation shall file plans and specifications and an itemized estimate of cost with the Department of Examiners of Accounts, and upon completion of the project by the corporation, the final total cost, together with an itemized list of cost of any and all changes made in the original plans and specifications shall be submitted to the Department of Examiners of Public Accounts for its permanent record. Upon approval of the corporation, its duly authorized officer or officers may, when proceeding on the basis of negotiated contracts, let any subdivision or unit of work by contract on receiving sealed bids in accordance with this section. This section shall not apply to routine maintenance or repair jobs ~~done by maintenance men who are regular employees of the corporation.~~

Section 15. Each project constructed or operated by such corporation shall be maintained and kept in good condition and repair.

Section 16. No officer of the corporation shall have any interest, directly or indirectly, in any contract awarded or to be awarded, or in the profit to be derived therefrom. The violation of this section shall constitute a misdemeanor, and upon conviction shall work a forfeiture of office, and shall be punishable by a fine not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not exceeding six months, or both.

Section 17. The authorized agents and employees of the corporation may enter upon any lands, waters, and premises in this State for the purpose of making surveys, soundings, drillings and examinations as it may deem necessary or convenient for the purposes of this Act, and such entry shall not be deemed a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which may be then pending. The corporation shall make reimbursement for any actual damages resulting to such lands, waters, and premises as a result of such activities.

Section 18. The exercise of the powers granted by this Act will be in all respects for the benefit of the people of the State, for the purpose of conserving natural resources, for the increase of commerce and prosperity and for the improvement of health and living conditions. Since the operation and maintenance of projects authorized by this Act will constitute the performance of essential functions, the bonds authorized by this Act and the income therefrom and all mortgages executed as security therefor, shall be exempt from all taxation in the State of Alabama.

Section 19. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this Act are repealed.

Section 21. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Roberts
Allen	Davis (Pickens)	Lamberth	Robison
Boutwell	Dyar	Leonard	Skidmore
Bradford	Eddins	Metcalf	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)

—27

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Dyar	Leonard	Robison
Allen	Eddins	Little	Skidmore
Boutwell	Flowers	Metcalf	Tate
Bradford	Goodwin	Moses	Van Antwerp
Calvin	Grisham	Newton	Vann
Cantrell	James	Reeves	Yarbrough (Autauga)
Cooper	Jones	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—29

Nay: Mr. Coleman.

—1

The Bill:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwin	Reeves
Boutwell	Davis (Lowndes)	James	Roberts
Bradford	Davis (Pickens)	Lamberth	Shelton
Calvin	Dyar	Leonard	Skidmore
Cantrell	Eddins	Little	Yarbrough (Autauga)
Coleman	Flowers		

—21

The Bill:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Was read a third time at length and passed.

Yeas 34; Nays 0. *

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones	Robison	

—34

The Bill:

H. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Grisham	Moses
Allen	Dyar	James	Newton
Boutwell	Eddins	Jones	Reeves
Calvin	Engelhardt	Lamberth	Roberts
Cantrell	Flowers	Leonard	Robison
Coleman	Givhan	Little	Shelton
Cooper	Goodwin	Metcalf	Skidmore

Smith
Tate

Van Antwerp
Vann

Yarbrough (Autauga) Yarbrough (Randolph)

—33

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Governor's appointment, relative to the Civil Service Board of the City of Anniston, and ordered same returned to the Senate with a favorable report, to-wit:

Aubrey H. Arnold — Anniston, Alabama. As member, for the term expiring September 11, 1957.

Richard McNeal — Anniston, Alabama. As member, for the term expiring September 11, 1961.

On motion of Mr. Shelton, the above named were confirmed by the Senate as members of the Civil Service Board of the City of Anniston.

NOTICE IN WRITING

Mr. Bradford offered the following Notice in Writing:

"Had I been present when House Bill No. 355 was voted upon I would have voted yea. This bill is known as the Truck bill.

"GERALD BRADFORD."

Which was read and ordered spread upon the Journal.

BILLS ON THIRD READING RESUMED

The Bill:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Skidmore
Allen	Dyar	Lamberth	Smith
Boutwell	Eddins	Leonard	Tate
Bradford	Flowers	Little	Van Antwerp
Calvin	Givhan	Newton	Vann
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Coleman	Grisham	Robison	Yarbrough (Randolph)
Cooper	James	Shelton	

—30

The Bill:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Boutwell	Calvin	Coleman
Allen	Bradford	Cantrell	Cooper

Davis (Lowndes)	Goodwin	Newton	Tate
Davis (Pickens)	Grisham	Roberts	Van Antwerp
Dyar	James	Robison	Vann
Eddins	Jones	Shelton	Yarbrough (Autauga)
Flowers	Lamberth	Skidmore	Yarbrough (Randolph)
Givhan	Leonard	Smith	

—30

The Bill:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Shelton
Allen	Davis (Pickens)	Jones	Skidmore
Boutwell	Dyar	Lamberth	Smith
Bradford	Eddins	Little	Van Antwerp
Calvin	Engelhardt	Newton	Vann
Cantrell	Flowers	Roberts	Yarbrough (Autauga)
Coleman	Givhan	Robison	Yarbrough (Randolph)
Cooper	Goodwin		

—29

The Bill:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Moses	Van Antwerp
Cantrell	Givhan	Newton	Vann
Coleman	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Lowndes)	Flowers
Allen	Cantrell	Davis (Pickens)	Givhan
Boutwell	Coleman	Dyar	Grisham
Bradford	Cooper	Engelhardt	James

Jones	Moses	Robison	Van Antwerp
Lamberth	Newton	Shelton	Vann
Leonard	Reeves	Skidmore	Yarbrough (Autauga)
Little	Roberts	Tate	Yarbrough (Randolph)

—31

The Bill:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

Was taken up.

Mr. Yarbrough (Randolph) offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. NO. 960

**A BILL
TO BE ENTITLED
AN ACT**

To provide further for financing the operation of schools and educational institutions; to authorize the Alabama Public Schools Corporation, organization of which is provided for in Article 10, Chapter 10, Title 52, Alabama Code of 1940, to borrow money in behalf of certain state educational agencies and institutions and in evidence of the borrowing to sell and issue interest bearing notes or warrants payable solely out of the current appropriation from the Alabama State Educational Trust Fund to the agency or institution for which any such borrowing shall be made; to authorize said corporation to pledge for payment of any such note or warrant the proceeds of the current appropriation out of which such note or warrant is payable; to specify the priority in lien of any such notes and warrants; to specify the restrictions, conditions and limitations subject to which such notes and warrants may be issued and such pledges made; and to provide that such notes and warrants and the interest thereon shall be exempt from taxation in this state, and that such notes and warrants shall be eligible to secure deposits of state funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Alabama Public Schools Corporation, organization of which is provided for in Article 10 of Chapter 10 of Title 52 of the Code of Alabama of 1940, and which is herein referred to as "the corporation", is hereby authorized and empowered, during any fiscal year beginning with the fiscal year commencing October 1, 1955, to borrow money and to issue interest bearing notes or warrants in evidence of such borrowing, in behalf of any state agency or institution to which or for the use of which an appropriation from the Alabama Special Educational Trust Fund shall have been made for the then current fiscal year, in anticipation of the proceeds of such appropriation; provided, that any such note or warrant shall be issued only upon the request of the agency or institution in behalf of which such note or warrant shall be issued. Any such note or warrant shall have a stated maturity not later than the end of the fiscal year during which it is issued. The prin-

cipal of and the interest on any note or warrant issued hereunder shall be payable solely from the proceeds of the appropriation in anticipation of which such note or warrant is issued and the corporation shall have the authority to pledge for payment of such principal and interest the proceeds of such appropriation. The principal of and interest on any note or warrant issued hereunder in any fiscal year shall constitute a prior lien on the appropriation from the Alabama Special Educational Trust Fund for the same fiscal year to or for the agency or institution in behalf of which such note or warrant was issued; and such liens shall take priority over each other in the order in which they are created. The total amount of the principal of any notes and warrants issued in anticipation of the appropriation from said fund to or for any such state agency or institution outstanding at any one time shall not exceed forty per centum of the total appropriation to or for that agency or institution from the Alabama Special Educational Trust Fund for the then current fiscal year; and the total principal of and interest on any notes or warrants issued by the corporation and outstanding at any one time in anticipation of the appropriation from said fund to or for any such agency or institution shall not exceed ninety per centum of the portion of such appropriation for the then current fiscal year that then remains unpaid. Any such notes and warrants may be sold by the corporation at public or private sale; the principal thereof and the interest thereon shall be exempt from all taxation in the State of Alabama; such notes and warrants shall be eligible as security for deposit of state funds; and they shall be signed in the name of the corporation by its president and attested by its secretary, who shall affix thereto the official seal of the corporation. The purchaser of any note or warrant issued hereunder must pay for securing any legal opinion desired by such purchaser. No note or warrant issued hereunder shall be a debt or obligation of the State of Alabama, nor shall the general faith and credit of the State of Alabama be pledged to the payment of any such note or warrant. The holder of any note or warrant issued hereunder shall look for payment of the principal thereof and the interest thereon solely to the funds actually appropriated from the Alabama Special Educational Trust Fund to or for the use of the agency or institution in behalf of which such note or warrant is issued.

Section 2. All laws or parts of laws which conflict with this Act are to the extent of such conflict repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Van Antwerp
Coleman	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Randolph)

—31

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Shelton
Allen	Davis (Pickens)	Leonard	Skidmore
Boutwell	Dyar	Little	Smith
Bradford	Engelhardt	Moses	Tate
Calvin	Flowers	Newton	Van Antwerp
Cantrell	Givhan	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)

—31

The Bill:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Lowndes)	Engelhardt
Allen	Cantrell	Davis (Pickens)	Flowers
Boutwell	Coleman	Dyar	Goodwin
Bradford	Cooper	Eddins	James

Jones
Lamberth
Leonard
Little
Metcalf

Moses
Newton
Reeves
Roberts

Robison
Skidmore
Smith
Tate

Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—32

The Bill:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Lowndes)
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Grisham
James
Jones
Lamberth

Leonard
Little
Moses
Newton
Reeves
Roberts
Robison
Shelton

Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—30

The Bill:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:
Boutwell
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Lowndes)

Davis (Pickens)
Dyar
Eddins
Engelhardt
Flowers
Grisham
James
Jones

Lamberth
Leonard
Little
Metcalf
Moses
Newton
Reeves
Roberts

Robison
Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—31

The Bill:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Was read a third time at length and passed.

Yeas 30; Nay 1.

Yeas:

Messrs.:
Allen
Boutwell
Bradford
Calvin

Cantrell
Coleman
Cooper
Davis (Pickens)
Dyar

Eddins
Engelhardt
Flowers
Givhan
Goodwin

Grisham
James
Jones
Lamberth
Leonard

Little	Roberts	Tate	Yarbrough (Autauga)
Moses	Robison	Van Antwerp	Yarbrough (Randolph)
Newton	Skidmore	Vann	

—30

Nay: Mr. Davis (Pickens).

—1

The Bill:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Boutwell	Eddins	Lamberth	Robison
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Tate
Cantrell	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)

—31

The Bill:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Leonard	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James	Robison	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to

provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Also:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Also:

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

Also:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Also:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Also:

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. J. R. 85. Relative to the Legislature expressing sympathy to Representative H. James Hall and family on the death of his father.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution your signature thereto is requested.

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

Also:

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Also:

H. J. R. 84. Relative to naming House Bill 22.

Also:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Also:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Also:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Also:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 85. Expressing appreciation of the members of the Legislature to the staff of Legislative Reference Service for their valuable assistance during the 1955 regular session.

Also:

S. J. R. 86. Expressing appreciation of Legislature to authorities and citizens of the City of Montgomery, other civic organizations for the courtesies and hospitality accorded them during the Legislative Session.

Also:

S. J. R. 89. Expressing appreciation of the expert advice and assistance rendered the Legislature by Raymond Fowler of State Retirement Systems.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF THE COMMITTEE OF CONFERENCE RELATIVE TO SENATE BILL 338

We, the committee of conference appointed to reconcile the disagreement of the two houses on the amendments of the House to the bill, S. B. 338, have met, and a majority of the committee have agreed to the following report:

We recommend that the House recede from its amendment to the bill, and that both houses agree to the following amendment:

Amend Section 1 of the bill by striking out the words, "When wholesalers or jobbers have qualified as such with the department of revenue as provided in section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the department of revenue shall allow on such sales of tobacco tax stamps the following discounts: on a sale of one hundred dollars or over and less than two hundred dollars of such stamps, a discount of three percent on the entire amount of such sale; on a sale of two hundred dollars or more of such stamps, a discount of seven and one-half percent on the amount of such stamps to be affixed to cigarettes and a discount of ten percent on the amount of such stamps to be affixed to all other tobaccos and tobacco products: Provided, that where wholesalers or jobbers are entitled to purchase stamps

at a discount of seven and one-half percent or ten percent, as herein provided, instead of the department of revenue selling said stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the department of revenue a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

And substitute in lieu thereof the following:

"When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps a discount of seven and one-half percent (7½%) on the entire amount of the sale. Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

ALBERT BOUTWELL
ROLAND COOPER
GERALD BRADFORD
Conferees on the part of the
Senate.

R. S. KENDALL
Conferees on the part of the
House.

REPORT OF THE MINORITY OF THE COMMITTEE OF CONFERENCE RELATIVE TO SENATE BILL 338

We, a minority of the committee of conference appointed to reconcile the disagreement of the two houses concerning the amendments of the House to the bill, S. B. 338, recommend that the House recede from its amendments to the bill and that the following amendment be agreed to by both houses:

Amend Section 1 of the bill by striking out the words, "When wholesalers or jobbers have qualified as such with the department of revenue as provided in section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the department of revenue shall allow on such sales of tobacco tax stamps the following discounts: on a sale of one hundred dollars or over and less than two hundred dollars of such stamps, a discount of three percent on the entire amount of such sale; on a sale of two hundred dollars or more of such stamps, a discount of seven and one-half percent on the amount of such stamps to be affixed to cigarettes and a discount of ten percent on the amount of such stamps to be affixed to all other tobaccos and tobacco products: Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount of seven and one-half percent or ten percent, as herein provided, instead of the department of revenue selling said stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the department of revenue a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so

consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

And substitute the following in lieu thereof:

"When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps the following discounts: a discount of six and one-half percent (6½%) on the amount of such stamps to be affixed to cigarettes and a discount of ten percent (10%) on the amount of such stamps to be affixed to all other tobaccos and tobacco products; provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

JOE M. DAWKINS

B. C. DAVIS

Conferees on the part of the House

CONFERENCE REPORT

On motion of Mr. Boutwell, the Senate concurred in and adopted the foregoing majority report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. B. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Reeves
Allen	Davis (Pickens)	James	Robison
Boutwell	Dyar	Jones	Shelton
Bradford	Eddins	Lamberth	Skidmore
Calvin	Engelhardt	Leonard	Vann
Cantrell	Flowers	Little	Yarbrough (Autauga)
Coleman	Givhan	Metcalf	Yarbrough (Randolph)
Cooper	Goodwin	Moses	

—30

Nays: Messrs. Smith and Tate.

—2

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of

payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

Also:

H. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Also:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Also:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and opera-

tion of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Also:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Also:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Also:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Also:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title

26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Also:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Also:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Also:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Also:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Also:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

Also:

H. J. R. 89. Relative to naming House Bill 17.

Also:

H. J. R. 90. Relative to congratulating Representative George C. Hawkins upon his being elected a Fellow in the International Academy of Trial Lawyers.

R. T. GOODWYN, JR.,
Clerk

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 62. Authorizing the creation of a public corporation within any county in the State which shall have the power to construct, lease, own and operate projects for irrigation and other purposes, sell water and have certain other powers and duties; prescribing the means and fixing the responsibility for the issuance of permits to the Corporation for construction and operation of projects and fixing the responsibility regarding compliance with the terms of the permit; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political sub-division thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with the provisions of H. J. R. 50 the Speaker of the House appointed as Committee on part of the House Messrs. Hawkins, Thomas and Dawkins.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 960. To provide further for financing the operation of schools and educational institutions; to authorize the Alabama Public Schools Corporation, organization of which is provided for in Article 10, Chapter 10, Title 52, Alabama Code of 1940, to borrow money in behalf of certain state educational agencies and institutions and in evidence of the borrowing to sell and issue interest bearing notes or warrants payable solely out of the current appropriation from the Alabama State Educational Trust Fund to the agency or institution for which any such borrowing shall be made; to authorize said corporation to pledge for payment of any such note or warrant the proceeds of the current appropriation out of which such note or warrant is payable; to specify the priority in lien of any such notes and warrants; to specify the restrictions, conditions and limitations subject to which such notes and warrants may be issued and such pledges made; and to provide that such notes and warrants and the interest thereon shall be exempt from taxation in this state, and that such notes and warrants shall be eligible to secure deposits of state funds.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 88. Relative to expressing appreciation of members of the Legislature to Mr. James V. Jordan, Budget Officer of the State of Alabama, for the valuable advice and assistance which he has rendered the Legislature, its members and committees, during the current session of the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

Also:

S. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Also:

S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTIONS

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 92. Be It Resolved by the Senate of Alabama, the House of Representatives concurring: That the Honorable Sam M. Engelhardt, Jr., the Senator from the Twenty-sixth District, is hereby commended for his energy, initiative and persistence in seeking to maintain the system of race relations under which for many years citizens of both races have lived harmoniously together in Alabama, and both races have prospered. His keen insight into the problems involved in the relation of the races and his ingenuity in working out the means of meeting these problems is outstanding. His activities along this line have been of inestimable value to the State and it is the hope of this body that his efforts will lead to a complete solution of the present problems.

And on motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Yarbrough (Autauga) offered the following Senate Joint Resolution, to-wit:

S. J. R. 93. Be It Resolved by the Senate of Alabama, the House of Representatives concurring: That the members of the Legislature do

hereby commend the able Senator from the Thirtieth District, the Honorable Walter C. Givhan, for his efforts in behalf of agriculture, and his promotion of the passage of legislation beneficial to the further agricultural development of this State, during the current session of the Legislature.

And on motion of Mr. Yarbrough (Autauga), the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Reeves, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 336, the title of which is set out in the foregoing Message from the House, to-wit:

AN AMENDMENT TO S. B. 336

Strike out the word and figure "Section 1" appearing in the first line of the body of the bill and insert in lieu thereof the word and figure "Section 2". Also, strike out the second paragraph in the body of the bill and insert in lieu thereof the following:

"Section 2. SALE REQUIREMENTS. It shall be unlawful (a) for any dealer to offer for sale or sell any case of eggs, or partial case of eggs, without clearly imprinting thereon, or securely attaching thereto, a label on which there shall be plainly and legibly printed the name and address of the packer of said eggs, the grade and weight class to which the eggs contained therein conform, the date on which the eggs were graded. The label, together with the printed matter required to appear thereon shall be of a size to be prescribed by regulations adopted by the State Boards of Agriculture and Industries.

(b) For any dealer to offer for sale or sell eggs in any carton or other type of package without clearly designating thereon the name and address of the packers, or person responsible for such packing, the grade and weight class to which the eggs contained therein conform, together with the date on which the eggs were graded. Grade and weight class designations required on cartons or other packages shall be in letters of a size to be prescribed by regulations adopted by the State Board of Agriculture and Industries.

(c) For any dealer to offer for sale or sell eggs in bulk (not in cases, cartons, packages or other containers) from any open case, box, basket, crate or other receptacle holding such eggs in bulk without displaying conspicuously on every such receptacle a placard or heavy cardboard not smaller than seven inches by seven inches in size on which there shall be legibly and plainly printed the grade and weight class to which the eggs contained therein conform in letters not smaller than one inch in height; provided, however, any retail merchant who sells or offers for sale not more than 120 dozen eggs in any one week may sell

or offer for sale such eggs without complying with the requirements hereof with respect to grade and weight class only if such retail merchants display conspicuously upon every receptacle holding eggs offered for sale in bulk a placard or heavy cardboard not smaller than seven inches by seven inches in size on which there shall be plainly printed the word "Farm Eggs" in letters not smaller than one inch in height, provided, further, all such eggs sold or offered for sale are purchased by such retail merchant directly from the producer thereof.

(d) For any dealer or other person to offer eggs for sale by means of any newspaper advertisement, circular, window displays, radio, television, or other form of advertising, when the price of eggs offered for sale is designated without plainly designating in such advertisements the grade and weight class to which the eggs so advertised and offered for sale, conform.

(e) For any dealer or other person to use the term "Alabama" in connection with the advertisement and sale of eggs not produced in this State.

(f) For any dealer or other person to use the word or words "fresh", "strictly fresh", "hennery eggs", "country", "locally produced", "day-old", "select", "guaranteed", "certified", or any other similar descriptive terms in connection with the advertising or sale of any eggs, unless such eggs meet the standard minimum requirements for consumer Grade A eggs or consumer Grade AA eggs as such grades are prescribed under the provisions of this Act.

(g) For any dealer or other person to sell or offer for sale eggs not fit for human food as such eggs are defined under grades and standards established by the State Board of Agriculture and Industries under the provisions of this Act.

(h) For any dealer to sell or offer for sale eggs unless the grade and weight class designation stated on the label, placard, sign, or advertisement correctly states the grade and weight class to which the eggs conform.

(i) For any dealer to sell or offer for sale eggs unless such dealer has a permit as required under Section 6 of this Act.

(j) For any dealer to sell or offer for sale eggs in violation of any rule or regulation adopted and promulgated under the provisions of this Act.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Robison
Allen	Dyar	Jones	Shelton
Boutwell	Eddins	Lamberth	Skidmore
Bradford	Engelhardt	Leonard	Tate
Calvin	Flowers	Little	Van Antwerp
Cantrell	Givhan	Moses	Vann
Coleman	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)			

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MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate to return to the Senate for further consideration the bill:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE MOTION TO RECONSIDER

On motion of Mr. Newton, the Senate reconsidered the vote by which it passed the bill:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

As amended.

On motion of Mr. Newton, the Senate reconsidered the vote by which it adopted the amendment offered by the Standing Committee on Local Legislation, which said amendment is set out at length in the Senate Journal, morning session, Thirty-Sixth Legislative Day.

On motion of Mr. Newton, said Committee amendment was then laid on the table.

And said bill, H. B. 1012, was again read at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Tate
Allen	Davis (Pickens)	Little	Van Antwerp
Boutwell	Dyar	Metcalf	Vann
Bradford	Eddins	Newton	Yarbrough (Autauga)
Cantrell	Goodwin	Smith	Yarbrough (Randolph)
Cooper	Grisham		

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BILLS ON THIRD READING RESUMED

The Bill:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Boutwell	Calvin	Coleman
Allen	Bradford	Cantrell	Cooper

Davis (Lowndes)	Goodwin	Moses	Smith
Davis (Pickens)	Grisham	Newton	Tate
Dyar	James	Reeves	Van Antwerp
Eddins	Jones	Roberts	Vann
Engelhardt	Lamberth	Robison	Yarbrough (Autauga)
Flowers	Leonard	Shelton	Yarbrough (Randolph)
Givhan	Little	Skidmore	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 95.

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that the Brown Printing Company, and especially Mr. Herbert Nation, Executive Vice President thereof, be extended the thanks of this Legislature for the most efficient and capable manner in which the printing of documents of the Legislature has been performed.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 95, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 93.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the House and Senate be and they are hereby relieved of any responsibility for the Codes, Supplements and other books furnished to the members of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, H. J. R. 93, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 92.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Acts and the Journals of the three previous Special Sessions of 1955 be bound respectively with the Acts and Journals of this Regular Session of 1955.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, H. J. R. 92, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to S. J. R. 68, the Speaker of the House has named as the Committee on the part of the House Messrs. Hanby, Wood and Oden.

R. T. GOODWYN, JR.,
Clerk.

RESOLUTIONS

Messrs. Allen and Flowers offered the following Senate Resolution, to-wit:

S. R. 94. BE IT RESOLVED BY THE SENATE that the Honorable Broughton Lamberth, Senator from the Tenth District and President pro tempore of the Senate, be commended for the able, amiable, efficient, and diplomatic manner in which he has performed the duties of his office and managed the Administration's program in this House.

And on motion of Mr. Flowers, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Calvin	Engelhardt	Metcalf	Tate
Cantrell	Flowers	Moses	Van Antwerp
Coleman	Givhan	Newton	Vann
Cooper	Goodwin	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Roberts	

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 95. Be it resolved by the Senate that the following shall be the further special, paramount and continuing order of business, superseding any and all other special order of business:

House Bill	Page
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304	14
303	15
867	24
336	25
124	20
125	20
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857	3
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443	2
871	28
1006	34
294	4
194	32
253	15
164	18
424	4
115	23
480	3
815	36
334	3
890	5
676	5
638	6
639	6
317	8
324	8

584	8
339	25
145	16
146	17
147	17
189	3
190	3
742	26

And on motion of Mr. Lamberth, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Also:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Also:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Also:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Also:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Also:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of

revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of seven hundred fifty dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Also:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Also:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Also:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Also:

H. 1022. To amend Section 1 of Act No. 424, H. 863, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

Also:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an Act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Also:

H. 574. To amend Section 279, Title 26, Code of Alabama, 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Also:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Also:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Also:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Also:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill, H. 206. Said report of said Conference Committee being in words and figures as follows:

CONFERENCE COMMITTEE REPORT ON
H. B. 206

We, your Conference Committee, appointed on the disagreement of the two houses on the Senate Substitute for H. B. 206 beg leave to report as follows:

We recommend that the Senate recede from its Substitute and that the following Substitute for H. B. 206 be adopted by both houses.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 206

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries, equipment purchases and additions and betterments and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which has an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes; (d) "additions and betterments" shall mean lands and buildings and the construction and alteration of structures and improvements thereto, improvements to land, sewer, water, shelter, support, storage, protection or the improvement of a natural condition, and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1956 and September 30, 1957, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor.

FROM THE GENERAL FUND

I. EXECUTIVE:

The Governor's Office:

For the salary of the Governor	\$ 12,000.00
For the salary of the Legal Counsel	9,000.00

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For other salaries	75,700.00	
For other expenses	16,650.00	
Total		113,350.00
For the Governor's Emergency Fund—To be expended at the direction of the Governor		100,000.00
For the Mansion Fund		60,000.00

II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1956, and for the salaries and expenses of the Legislature for extraordinary sessions		300,000.00
For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative ses- sions for the fiscal year ending Septem- ber 30, 1957		1,000,000.00
For printing of Legislative Acts and Jour- nals for the fiscal year ending Septem- ber 30, 1956, estimated		75,000.00

III. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices	84,000.00	
For the salary of the Clerk of the Court	6,000.00	
For the salary of the Court Reporter.....	6,000.00	
For other salaries	88,080.00	
For other expenses	13,540.00	
For equipment purchases	6,000.00	
Total		203,620.00
For the Supreme Court Library Fund....		10,000.00
For cataloging the Supreme Court Library		7,500.00

(2) THE COURT OF APPEALS:

For salaries of the three judges.....	34,500.00	
For other salaries	31,200.00	
For other expenses	4,162.50	
For equipment purchases	500.00	
Total		70,362.50

(3) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated		484,500.00
For travel expenses of circuit judges....		7,500.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges		10,000.00

For the salaries and travel expenses of special judges, estimated	4,000.00
For salaries of thirty-three circuit solicitors	231,000.00
For salary of the elected deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	6,000.00
For the salary of the appointed assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the first deputy solicitor of the Birmingham Division of the 10th Judicial Circuit.....	5,700.00
For the salaries of the second and third deputy solicitors of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the fourth, fifth and sixth deputy solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	12,000.00
For the salary of the deputy circuit solicitor of the 6th Judicial Circuit.....	4,500.00
For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit..	10,800.00
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit	7,800.00
For the salary of the deputy circuit solicitors of the 16th Judicial Circuit	6,000.00
For the salary of the deputy circuit solicitor of the 23rd Judicial Circuit	4,200.00
Total	309,200.00
For the travel expenses of circuit solicitors	6,000.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants	20,000.00
For salary of supernumerary circuit solicitors, estimated	8,000.00
(4) COURT REPORTERS:	
For the compensation of the circuit court reporters, estimated	87,600.00
(5) SUPERNUMERARY JUDGES:	
For salaries of supernumerary judges, estimated	40,000.00

(6) SUPERNUMERARY JUSTICES:

For expenses of supernumerary Justices of Supreme Court	3,600.00
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IV. CONSTITUTIONAL OFFICES:

(1) OFFICE OF THE ATTORNEY GENERAL:

For the fiscal year ending September
30, 1956:

For the salary of the Attorney General	10,000.00	
For other salaries	151,900.00	
For other expenses	33,100.00	
For equipment purchases	3,550.00	
Total		198,550.00

For the fiscal year ending September
30, 1957:

For the salary of the Attorney General	10,000.00	
For other salaries	151,900.00	
For other expenses	33,100.00	
For equipment purchases	2,750.00	
Total		197,750.00

(2) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor	6,000.00	
For other salaries	26,250.00	
For other expenses	2,250.00	
For equipment purchases	500.00	
Total		35,000.00

(3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State	6,000.00	
For other salaries	22,000.00	
For other expenses	6,000.00	
For equipment purchases	1,000.00	
Total		35,000.00

(4) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September
30, 1956:

For the salary of the State Treasurer	6,000.00	
For other salaries	66,826.00	
For other expenses and compensation of fiscal agents	19,450.00	
For equipment purchases	12,724.00	
Total		105,000.00

For the fiscal year ending September
30, 1957:

For the salary of the State Treasurer	6,000.00
For other salaries	67,836.00

For other expenses and compensation of fiscal agents	19,664.00	
For equipment purchases	500.00	
Total		94,000.00

**V. DEPARTMENTS, BOARDS, BUREAUS,
AGENCIES AND COMMISSIONS:**

**(1) DEPARTMENT OF ARCHIVES AND
HISTORY:**

For the salary of the Director	7,500.00	
For other salaries	50,500.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For expenses of publication of the Alabama Historical Quarterly	3,000.00	
Total		70,000.00
For expenses of printing Statistical Register for the fiscal year ending September 30, 1956		5,000.00

(1-A) PUBLIC LIBRARY SERVICE DIVISION:

For salaries	35,000.00	
For other expenses	11,000.00	
For books and pamphlets	67,000.00	
For equipment purchases	2,000.00	
Total		115,000.00

(2) BUILDING COMMISSION:

For salaries, other expenses and equipment purchases (For expenditure pursuant to Act No. 128, 1945 Regular Session, as amended)		50,000.00
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(3) DEPARTMENT OF CIVIL DEFENSE:

For the salary of the Director	7,500.00	
For other salaries	21,500.00	
For other expenses	10,000.00	
For equipment purchases	1,000.00	
Total		40,000.00
For salaries, other expenses and equipment purchases, conditional upon the condition of the treasury and with the approval of the Governor..		10,000.00

(4) DEPARTMENT OF COMMERCE:

For the salary of the Director	10,000.00	
For other salaries	102,000.00	
For other expenses	35,000.00	
For equipment purchases	3,000.00	
Total		150,000.00

**(5) DEPARTMENT OF EXAMINER OF
PUBLIC ACCOUNTS:**

For the fiscal year ending September 30, 1956:

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For the salary of the Chief Examiner ..	10,000.00	
For other salaries	383,000.00	
For other expenses	160,000.00	
For equipment purchases	3,000.00	
Total		556,000.00

For the fiscal year ending September
30, 1957:

For the salary of the Chief Examiner ..	10,000.00	
For other salaries	385,000.00	
For other expenses	160,000.00	
For equipment purchases	5,000.00	
Total		560,000.00

(6) DEPARTMENT OF FINANCE:

Director's Office:

For the salary of the Director	10,000.00	
For other salaries	21,300.00	
For other expenses	6,937.50	
For equipment purchases	6,600.00	
Total		44,837.50

Division of the Budget:

For salaries	28,716.00	
For other expenses	5,000.00	
For equipment purchases	4,000.00	
Total		37,716.00

Division of Control and Accounts:

For salaries	98,628.00	
For other expenses	39,543.00	
For equipment purchases	3,500.00	
Total		141,671.00

Legal Division:

For salaries, other expenses and equip- ment purchases		15,470.00
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Division of Purchases and Stores:

For salaries	61,624.00	
For other expenses	9,000.00	
For equipment purchases	1,000.00	
Total		71,624.00

Division of Service:

For salaries	187,000.00	
For other expenses	153,000.00	
For equipment purchases	10,000.00	
Total		350,000.00

For equipment purchases in the State Offices for the Executive, Admini- strative and Judicial Departments..		10,000.00
Total		671,318.50

(7) DEPARTMENT OF HEALTH:

(a) For General Health Work:

For the salary of the State Health Officer	10,000.00	
For other salaries	475,000.00	
For other expenses	115,000.00	
Total		600,000.00

(b) For study and treatment of cancer... 125,000.00

(c) For contributions to County Health Units 375,000.00

(d) For Hospital Planning:

For salaries	22,000.00	
For other expenses	4,000.00	
Total		26,000.00

(e) For Mental Hygiene:

For salaries	16,800.00	
For other expenses	13,200.00	
Total		30,000.00

(f) For Mental Health:

For Mental Health Clinic for north-east Alabama located in Etowah County	7,000.00	
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University of Alabama Medical School for instruction in clinical psychology and psychiatry...	18,000.00	
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(g) For Pollution Control:

For salaries	32,500.00	
For other expenses	14,900.00	
For equipment purchases	2,600.00	
Total		50,000.00

(h) For the Administration of Tuberculosis Hospitals:

For salaries	14,000.00	
For other expenses	8,500.00	
Total		22,500.00

(i) For subsidy to counties for treatment of tuberculosis 1,971,000.00

(j) For Tuberculosis Testing:

For salaries	37,500.00	
For other expenses	32,500.00	
For equipment purchases	30,000.00	
Total		100,000.00

(k) For Venereal Disease Control:

For salaries	30,000.00	
For other expenses	20,000.00	
Total		50,000.00
Total		3,374,500.00

(8) INDUSTRIAL DEVELOPMENT BOARD:

For salary of Director	10,000.00	
For salaries	102,980.00	
For other expenses	30,600.00	
For equipment purchases	22,500.00	
Total		166,080.00

(9) DEPARTMENT OF INDUSTRIAL RELATIONS:

For salaries	115,000.00	
For other expenses	34,500.00	
For equipment purchases	500.00	
Total		150,000.00

(10) DEPARTMENT OF INSURANCE:

For the fiscal year ending September
30, 1956:

For the salary of the Director	7,500.00	
For other salaries	98,788.00	
For other expenses	51,400.00	
For equipment purchases	6,880.00	
Total		164,568.00

For the fiscal year ending September
30, 1957:

For the Salary of Director	7,500.00	
For other salaries	111,360.00	
For other expenses	53,300.00	
For equipment purchases	4,600.00	
Total		176,760.00

(11) STATE LABOR DEPARTMENT:

For the fiscal year ending September
30, 1956:

For the salary of the Director	9,000.00	
For other salaries	30,428.00	
For other expenses	13,612.00	
For equipment purchases	1,960.00	
Total		55,000.00

For the fiscal year ending September
30, 1957:

For the salary of the Director	9,000.00	
For other salaries	30,428.00	

For other expenses	13,072.00	
For equipment purchases	2,500.00	
Total		55,000.00
(12) LEGISLATIVE REFERENCE SERVICE:		
For the fiscal year ending September 30, 1956:		
For the salary of the Director	9,000.00	
For other salaries	32,304.00	
For other expenses	3,996.00	
For equipment purchases	1,200.00	
Total		46,500.00
For the fiscal year ending September 30, 1957:		
For the salary of the Director	9,000.00	
For other salaries	33,004.00	
For other expenses	3,996.00	
For equipment purchases	500.00	
Total		46,500.00
For Legislative Council		3,100.00
(13) MILITARY DEPARTMENT:		
For the salary of the Adjutant General	7,500.00	
For other salaries	194,600.00	
For other expenses	40,000.00	
For equipment purchases	20,000.00	
For Quarterly Allowances	211,200.00	
For transfer to the Armory Commission for care and maintenance of armories	300,000.00	
For Active Military Service	65,000.00	
Total		838,300.00
For other expenses conditional upon the condition of the treasury and with the approval of the Governor	10,000.00	
For equipment purchases, conditional upon the condition of the treasury and with the approval of the Governor	10,000.00	
For Active Military Service of Federally recognized National Guard officers and enlisted men, conditional upon the condition of the treasury and with the approval of the Governor	10,000.00	
For Active Military Service for approved training projects, conditional upon the condition of the treasury and approval of the Governor	95,000.00	
Total Conditional		125,000.00
(14) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department:		

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For the fiscal year ending September 30, 1956	18,117.00
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For the fiscal year ending September 30, 1957	18,611.00
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(15) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1956:

For the salary of the Director	10,000.00
For other salaries	1,850,000.00
For other expenses	684,750.00
For equipment purchases	150,000.00

Total	2,694,750.00
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For the fiscal year ending September 30, 1957:

For the salary of the Director	10,000.00
For other salaries	1,875,000.00
For other expenses	684,750.00
For equipment purchases	150,000.00

Total	2,719,750.00
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(16) DEPARTMENT OF PUBLIC WELFARE:

For transfer to Department of Public Welfare for the support, maintenance and operation of the functions of Public Welfare	3,700,000.00
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For transfer to Department of Public Welfare for the support, maintenance and operation of the functions of Public Welfare conditional upon the condition of the treasury and with the approval of the Governor...	3,000,000.00
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For research and indigent care in nutritional and related subjects at Spies Clinic, located at Birmingham, Alabama, conditional upon the condition of the treasury and with the approval of the Governor...	100,000.00
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It is provided that not more than twenty-seven and one-half percentum of the appropriations hereinabove made shall be allotted in any one quarter of a fiscal year.

(17) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	14,520.00
For other expenses	14,400.00
For equipment purchases	5,000.00
For tourist advertising	50,000.00

Total	83,920.00
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(18) STATE PLANNING BOARD:

For salaries	33,000.00	
For other expenses	17,000.00	
	<hr/>	
Total		50,000.00

(19) DEPARTMENT OF REVENUE:

For salaries, operation and maintenance expense:		
For the fiscal year ending September 30, 1956		315,738.00
For the fiscal year ending September 30, 1957		322,200.00
For expenses incident to the Equalization Boards:		
For the fiscal year ending September 30, 1956		322,000.00
For the fiscal year ending September 30, 1957		347,000.00

(20) STATE BOARD OF ADJUSTMENT:

For expenditures by the Board payable from General Fund for the General Fund contribution to the total expenditure of \$150,000.00 pursuant to Title 55, Section 343		10,000.00
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(21) STATE SECURITIES COMMISSION:

For the fiscal year ending September 30, 1956:		
For salaries	11,064.00	
For other expenses	740.00	
	<hr/>	
Total		11,804.00
For the fiscal year ending September 30, 1957:		
For salaries	12,264.00	
For other expenses	740.00	
	<hr/>	
Total		13,004.00

(22) SOCIAL SECURITY:

For the fiscal year ending September 30, 1956:		
Administrative:		
For salaries	14,436.00	
For other expenses	5,775.00	
	<hr/>	
Total		20,211.00
For the fiscal year ending September 30, 1957:		
Administrative:		
For salaries	14,772.00	

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For other expenses	4,885.00	
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Total		19,757.00
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(23) STATE TOXICOLOGIST:

For the fiscal year ending September 30, 1956:

For the salary of the State Toxicologist.....	7,500.00
For other salaries	79,686.00
For other expenses	28,458.00
For equipment purchases	24,366.00

Total		140,000.00
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For the fiscal year ending September 30, 1957:

For the salary of the State Toxicologist.....	7,500.00
For other salaries	80,878.00
For other expenses	28,683.00
For equipment purchases	11,300.00

Total		128,361.00
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(24) DEPARTMENT OF VETERANS' AFFAIRS:

For the fiscal year ending September 30, 1956:

For salary of the Service Commissioner	7,500.00
For other salaries	326,962.00
For other expenses	36,350.00
For equipment purchases	7,500.00
For contract with Veterans of Foreign Wars Organizations	20,000.00
For contract with Disabled American Veterans Organizations	5,000.00
Total	

403,312.00

For the fiscal year ending September 30, 1957:

For salary of the Service Commissioner	7,500.00
For other salaries	345,886.00
For other expenses	37,400.00
For equipment purchases	6,500.00
For contract with Veterans of Foreign Wars Organizations	20,000.00
For contract with Disabled American Veterans Organizations	5,000.00
Total	

422,286.00

VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF CONSERVATION:

(a) State Parks Fund:

For salaries and other expenses incident to the operation and

maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of Department of Conservation		86,810.00
For salaries and other expenses in- cident to the operation and maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of De- partment of Conservation con- ditional upon the condition of the treasury and with the ap- proval of the Governor		200,000.00
(b) State Lands Fund:		
For salaries and other expenses in- cident to the operation of the Division of State Lands		25,000.00
(c) Forestry Fund:		
For salaries and other expenses in- cident to the operation of the Division of Forestry and for the administration of Depart- ment of Conservation		250,000.00
For salaries and other expenses in- cident to the operation of the Division of Forestry and for the administration of Depart- ment of Conservation, condi- tional upon the condition of the treasury and with the ap- proval of the Governor		200,000.00
(2) GEOLOGICAL SURVEY:		
For the fiscal year ending September 30, 1956:		
For the salary of the State Geologist	9,100.00	
For other salaries	59,103.00	
For other expenses	39,293.00	
For equipment purchases	2,000.00	
For matching Federal funds for the in- vestigation of the surface water re- sources of the State	27,500.00	
For matching Federal funds for the in- vestigation of the ground water re- sources of the State	30,000.00	
Total		167,000.00
For the fiscal year ending September 30, 1957:		
For salary of the State Geologist	9,100.00	
For other salaries	61,864.00	
For other expenses	24,536.00	
For equipment purchases	2,000.00	

For matching Federal funds for the investigation of the surface water resources of the State	27,500.00	
For matching Federal funds for the investigation of the ground water resources of the State	30,000.00	
Total		155,000.00

(3) STATE SOIL CONSERVATION COMMITTEE:

For salaries	9,000.00	
For other expenses	11,250.00	
For equipment purchases	500.00	
Total		20,750.00

(4) FORT MORGAN HISTORICAL SOCIETY:

For salaries	10,500.00	
For other expenses	20,000.00	
Total	30,500.00	

(5) FOR TRANSFER TO AGRICULTURAL FUND:

For salaries, other expenses and equipment purchases for the Department of Agriculture and Industries:		
For the fiscal year ending September 30, 1956		211,773.50
For the fiscal year ending September 30, 1957		210,573.50

VII. EDUCATION:

(1) INTEREST ON ENDOWMENTS:

For interest on Alabama College Endowment, estimated	40,000.00	
For interest on Alabama Polytechnic Institute Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowments:		
Interest on 16th section lands, estimated	173,659.00	
Interest on school indemnity lands, estimated	31,596.81	
Interest on valueless 16th section lands	5,825.47	
Interest on surplus revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total estimated		360,000.00

VIII. HOSPITALS AND CORRECTIONAL
FUNCTIONS:

(1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections for salaries of the employees of the Board	1,375,000.00
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(2) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week, for each patient,

For the fiscal year ending September 30, 1956, estimated	5,284,628.00
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For the fiscal year ending September 30, 1957, estimated	5,436,344.00
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Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	391,456.00
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For the fiscal year ending September 30, 1957, estimated	402,688.00
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For training Psychiatric Nurses	25,000.00
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(3) PARTLOW STATE SCHOOL FOR
MENTAL DEFICIENTS:

For the support, maintenance and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	982,800.00
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For the fiscal year ending September 30, 1957, estimated	1,017,900.00
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Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,

For the fiscal year ending September 30, 1956, estimated	72,800.00
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For the fiscal year ending September 30, 1957, estimated	75,400.00
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(4) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	20,000.00
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(5) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated	375,000.00
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(6) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of absconding felons, estimated	1,000.00
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(7) BOARD OF PARDONS AND PAROLES:

For the fiscal year ending September 30, 1956:	
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For salaries of Board Members	22,500.00
For other salaries	236,460.00
For other expenses	54,000.00
For equipment purchases	12,040.00

Total	325,000.00
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For the fiscal year ending September 30, 1957:	
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For salaries of Board Members	22,500.00
For other salaries	236,460.00
For other expenses	54,000.00
For equipment purchases	10,040.00

Total	325,000.00
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IX. DEBT SERVICE:

- | | |
|---|------------|
| (1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds for the fiscal year ending September 30, 1956 | 302,385.00 |
| (2) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1956 | 214,178.00 |
| (3) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1957 | 213,730.00 |
| (4) For interest on Spanish American War Veterans Fund, estimated | 294.86 |

X. MISCELLANEOUS:

- | | |
|---|-----------|
| (1) For advertising lands for tax sale, estimated | 5,000.00 |
| (2) Alabama Agricultural and Industrial Exhibit Commission | 25,000.00 |
| (3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61)... | 22,500.00 |
| (4) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated | 3,500.00 |

(5) Cahaba Historical Commission: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449	500.00
(6) For civil court costs in connection with ad valorem tax assessment appeals, estimated	1,000.00
(7) For court costs to be paid by the State of Alabama not otherwise provided for, estimated	1,000.00
(8) For distribution of public documents, estimated	3,000.00
(9) Departmental Emergency Fund	150,000.00
(This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.)	
(10) Employees' Special Pension Fund: For the fiscal year ending September 30, 1956	60,000.00
For the fiscal year ending September 30, 1957	65,000.00
(11) Gorgas Memorial Board:	
To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383	10,000.00
(12) For expense of Governor's Proclamations, estimated:	
For the fiscal year ending September 30, 1956	40,000.00
For the fiscal year ending September 30, 1957	20,000.00
(13) Hall of Fame Board:	
For payment of salaries and expenses...	2,100.00
(14) Richmond Pearson Hobson Memorial Board:	
To provide for the expenditures authorized by Act No. 536, 1943 Acts, page 510	2,750.00
(15) LaGrange Historical Commission: To provide for the expenditures authorized by Act No. 551, 1943, Acts, page 540	500.00
(16) For mailing tax notices, estimated.....	3,500.00
(17) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1956, estimated	25,000.00

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(18) For printing of State and County Privilege Licenses, estimated	6,000.00
(19) For registration of voters, estimated:	
For the fiscal year ending September 30, 1956	175,000.00
For the fiscal year ending September 30, 1957	125,000.00
(20) For Spanish War Veterans Encampment	1,500.00
(21) First White House of Confederacy, for salaries and other expenses	3,140.00
(22) For Bangs Disease Control:	
For salaries	40,000.00
For other expenses	60,000.00
Total	100,000.00
This appropriation to be expended by the State Veterinarian at the direction of the Commissioner of Agriculture.	
(23) For Prevention and Control of Diseases of Swine:	
For salaries	43,000.00
For other expenses	53,000.00
For equipment purchases	4,000.00
Total	100,000.00
This appropriation to be expended by the State Veterinarian at the direction of the Commissioner of Agriculture.	
(24) For Southern Regional Council on Mental Health Training and Research..	8,000.00

FROM FUNDS OTHER THAN GENERAL FUND

XI. AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1956:

For salary of the Director	7,200.00
For other salaries	25,884.00
For other expenses	14,763.00
For equipment purchases	7,434.00
Total	55,281.00
For State aid for Airports — For Airports and Airmarking	150,000.00

For the fiscal year ending September 30, 1957:

For salary of the Director	7,200.00
For other salaries	25,884.00

For other expenses	14,763.00	
For equipment purchases	3,000.00	
Total		50,847.00
For State aid for Airports — For Airports and Airmarking		125,000.00

The above appropriations shall be paid out of the receipts to the State Airports Development Fund as provided in Act No. 402, approved July 9, 1945, and the amounts appropriated herein shall be the maximum expenditures pursuant thereto.

XII. AGRICULTURE AND INDUSTRIES:

A. ADMINISTRATIVE OPERATIONS:

For salary of the Commissioner	8,400.00	
For other salaries	634,000.00	
For other expenses	240,000.00	
For rent to Alabama Building Corporation	52,473.50	
For equipment purchases	47,000.00	
For Awarding Prizes and Premiums.....	35,000.00	
Total		1,016,873.50

(The above appropriation is payable from funds in the Agricultural Fund and shall be the maximum amount expended therefrom for operation and shall include the appropriation made in Section VI, sub-section (5) in this Act.)

B. TRANSFER OF FUNDS FROM THE AGRICULTURAL FUND:

For the fiscal year ending September 30, 1956:

(2) For transfer to Agricultural Center Board for operation and debt service	95,100.00	
(2) Transfer to Agricultural Center Board for operation of Livestock Coliseum	25,000.00	
(3) For transfer to Shipping Point Inspection Fund	15,000.00	
(4) For transfer to White Fringed Beetle Control Fund	27,000.00	
(5) For transfer to State Personnel Department	2,739.00	
Total		164,839.00

For the fiscal year ending September 30, 1957:

(1) For transfer to Agricultural Center Board for operation and debt service	93,900.00	
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(2) For transfer to Agricultural Center Board for operation of Livestock Coliseum	25,000.00	
(3) For transfer to Shipping Point Inspection Fund	15,000.00	
(4) For transfer to White Fringed Beetle Control Fund	27,000.00	
(5) For transfer to State Personnel Department	2,814.00	
Total		163,714.00

C. EGG INSPECTION DIVISION:

For the fiscal year ending September 30, 1956:		
For salaries, other expenses and equipment purchases		60,000.00
For the fiscal year ending September 30, 1957:		
For salaries, other expenses and equipment purchases		100,000.00

(The above appropriations are payable from funds in the Egg Inspection Fund and shall be the Maximum amounts expended therefrom.)

D. AGRICULTURAL CENTER BOARD:

For the fiscal year ending September 30, 1956:		
For salaries	13,950.00	
For other expenses	5,850.00	
For equipment purchases	200.00	
For debt service on Coliseum Bonds.....	75,100.00	
Total		95,100.00
For the fiscal year ending September 30, 1957:		
For salaries	14,310.00	
For other expenses	5,490.00	
For equipment purchases	200.00	
For debt service on Coliseum Bonds	73,900.00	
Total		93,900.00

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

E. LIVESTOCK COLISEUM:

For salaries, other expenses and equipment purchases	90,000.00
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(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum

shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said fund as provided in Item XII B.)

F. WHITE FRINGED BEETLE CONTROL FUND:

For salaries, other expenses and equipment purchases	12,000.00	
For purchase of necessary insecticides for the control and eradication of the White Fringed Beetle	15,000.00	
Total		27,000.00

(The fund hereinabove appropriated for the eradication of the White Fringed Beetle shall be paid out of the White Fringed Beetle Control Fund and includes the appropriation made to said fund as provided in sub-section B hereof.)

XIII. ALCOHOLIC BEVERAGE CONTROL BOARD:

A. ADMINISTRATIVE AND STORES DIVISION:

For the fiscal year ending September 30, 1956:

For salary of administrator	10,000.00	
For other salaries	1,856,944.00	
For other expenses (transportation costs for merchandise excluded)	503,300.00	
For equipment purchases	58,390.00	
For additions and betterments	8,000.00	
For transfer to State Personnel Department	8,393.00	
For transportation costs on merchandise, estimated	125,000.00	
Total		2,570,027.00

For the fiscal year ending September 30, 1957:

For salary of administrator	10,000.00	
For other salaries	1,890,988.00	
For other expenses (transportation costs for merchandise excluded)	512,100.00	
For equipment purchases	31,196.00	
For additions and betterments	5,000.00	
For transfer to State Personnel Department	8,622.00	
For transportation costs on merchandise, estimated	125,000.00	
Total estimated		2,582,906.00

In addition to the above appropriation herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into opera-

tion by said Board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

B. LAW ENFORCEMENT DIVISION:

For salaries	300,000.00	
For other expenses	168,000.00	
For equipment purchases	20,000.00	
Total		488,000.00

C. COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM:

For the fiscal year ending September 30, 1956:		
For salaries	4,360.00	
For other expenses	3,580.00	
For equipment purchases	2,500.00	
Total		10,440.00
For the fiscal year ending September 30, 1957:		
For salaries	4,360.00	
For other expenses	6,080.00	
Total		10,440.00

D. FOR TEMPERANCE EDUCATION 25,000.00

(The appropriations hereinabove made to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.)

E. BEER TAX AND LICENSE DIVISION:

For the fiscal year ending September 30, 1956:		
For salaries	138,302.00	
For other expenses	81,790.00	
For equipment purchases	1,000.00	
Total		221,092.00
For the fiscal year ending September 30, 1957:		
For salaries	149,615.00	
For other expenses	83,790.00	
For equipment purchases	1,000.00	
Total		234,405.00

(This appropriation hereinabove made to the Alcoholic Beverage Control Board shall be paid out of the gross proceeds from the licenses, permits, and tax on malt beverages.)

XIV. ALABAMA STATE BAR ASSOCIATION:

For salaries, other expenses and equipment purchases	34,000.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

XV. DEPARTMENT OF CONSERVATION:

A. ADMINISTRATIVE DIVISION:

For the fiscal year ending September 30, 1956:	
For the salary of the Director	10,000.00
For other salaries	168,696.00
For other expenses	80,277.00
For equipment purchases	20,000.00
For transfer to Personnel Department ..	9,108.00
Total	288,081.00

For the fiscal year ending September 30, 1957:	
For the salary of the Director	10,000.00
For other salaries	168,696.00
For other expenses	80,029.00
For equipment purchases	20,000.00
For transfer to Personnel Department ..	9,356.00
Total	288,081.00

B. STATE FORESTRY DIVISION:

For salaries	847,000.00
For other expenses and equipment purchases	397,000.00
For additions and betterments	24,000.00
For transfer to Conservation Department—Administrative Account	110,000.00
Total	1,378,000.00

The funds hereinabove appropriated to the State Forestry Division shall be paid out of the State Forestry Fund. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor, is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

C. GAME AND FISH DIVISION:

For salaries	695,532.00
For other expenses	476,100.00
For equipment purchases	100,000.00

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For additions and betterments	475,000.00	
For transfer to Conservation Department—Administrative Account	110,000.00	
Total		1,856,632.00

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

D. STATE LANDS DIVISION:

For salaries	35,316.00	
For other expenses	15,184.00	
For equipment purchases	2,000.00	
Total		52,500.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

E. STATE PARKS DIVISION:

For salaries	105,000.00	
For other expenses	93,000.00	
For equipment purchases	15,000.00	
For additions and betterments	40,000.00	
For transfer to Conservation Department—Administrative Account	33,190.00	
Total		286,190.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item VI (1) in this Act.

F. SEAFOODS DIVISION:

For the fiscal year ending September 30, 1956:

For salaries	61,608.00	
For other expenses	59,150.00	
For equipment purchases	48,000.00	
For additions and betterments	130,000.00	
For transfer to Conservation Department—Administrative Account	37,842.00	
Total		336,600.00

For the fiscal year ending September 30, 1957:

For salaries	61,608.00	
For other expenses	54,400.00	
For equipment purchases	10,000.00	
For additions and betterments	125,000.00	
For transfer to Conservation Department—Administrative Account	37,842.00	
Total		288,850.00

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

For the fiscal year ending September
30, 1956:

Total	4,198,003.00
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For the fiscal year ending September
30, 1957:

Total	4,150,253.00
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XVI. BOARD OF CORRECTIONS:

For the fiscal year ending September
30, 1956:

For the salary of the Commissioner.....	12,000.00
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For transfer to the State Personnel Department	4,752.00
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For other salaries and expenses incident
to the operation and maintenance
of the convict system of Alabama,
so much as may be necessary.

For the fiscal year ending September
30, 1957:

For the salary of the Commissioner.....	12,000.00
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For transfer to State Personnel Depart- ment	4,881.00
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For other salaries and expenses inci-
dent to the operation and mainten-
ance of the convict system of Ala-
bama, so much as may be neces-
sary.

The above appropriation to the Board of Correc-
tions shall be paid out of all of the receipts from
the administration of the department, including
the labor of the convicts, and all other funds ap-
propriated.

XVII. DENTAL ASSOCIATION:

For salaries, other expenses and equip- ment purchases	2,600.00
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XVIII. ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel De-
partment:

For the fiscal year ending September 30, 1956	5,203.00
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For the fiscal year ending September 30, 1957	5,345.00
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The above appropriations shall be paid from in-
come, receipts and revenues derived from the op-
erations of the Alabama State Docks Board.

XIX. HEALTH DEPARTMENT:

1. Hospital Licensing:

For the fiscal year ending September
30, 1956:

For salaries	8,280.00	
For other expenses	4,000.00	
Total		12,280.00
For the fiscal year ending September 30, 1957:		
For salaries	8,712.00	
For other expenses	4,000.00	
Total		12,712.00

The above appropriations are payable from funds in the Hospital Licensing Fund and shall be the maximum amounts expended therefrom.

2. Bureau of Vital Statistics:

For salaries	45,300.00
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The above appropriations are payable from the funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

XX. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$10,000.00; for transfer to the State Personnel Department, \$34,452.00 for the fiscal year ending September 30, 1956 and \$35,392.00 for the fiscal year ending September 30, 1957; for maintenance and construction of roads and bridges, for salaries and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

XXI. DEPARTMENT OF INDUSTRIAL RELATIONS:

For salary of the Director, estimated	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956	8,140.00
For the fiscal year ending September 30, 1957	8,362.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation and for such other funds, services and operations for which the United States Government may provide monies: there is hereby appropriated, in addition to the amounts appropriated herein in Item V (9), all such sums as the United States Government may make available therefor.

XXII. STATE INSURANCE FUND:

For the fiscal year ending September 30, 1956:	
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For salaries	46,436.00	
For other expenses	16,877.00	
For equipment purchases	6,750.00	
Total		70,063.00

For the fiscal year ending September
30, 1957:

For salaries	48,584.00	
For other expenses	18,877.00	
For equipment purchases	8,200.00	
Total		75,661.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

XXIII. LAW ENFORCEMENT:

To carry out the provisions of Sections 251 and 260 of Title 29, Code of Ala- bama 1940, estimated		8,000.00
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XXIV. STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For the fiscal year ending September 30, 1956:		
For salaries	18,060.00	
For other expenses	11,496.40	
For equipment purchases	300.00	
Total		29,856.40

For the fiscal year ending September
30, 1957:

For salaries	18,060.00	
For other expenses	11,496.40	
For equipment purchases	500.00	
Total		30,056.40

In addition to the amounts appropriated herein-
above to the State Licensing Board for General
Contractors, there is hereby appropriated such an
amount as may be necessary to pay the refund of
any application for license which may have been
rejected by the Board or application withdrawn by
request of applicant.

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

XXV. LIQUIFIED PETROLEUM GAS COMMISSION:

For salaries of three commissioners.....	7,500.00	
For other salaries	12,180.00	
For other expenses	6,085.00	
Total		25,765.00

The above appropriation is payable from funds in the State Treasury to the credit of the Liquified Petroleum Gas Fund and shall be the maximum amounts expended therefrom.

XXVI. ALABAMA MILK CONTROL BOARD:

For the fiscal year ending September 30, 1956:

For salaries	52,932.00	
For other expenses	32,300.00	
For equipment purchases	3,000.00	
Total		88,232.00

For the fiscal year ending September 30, 1957:

For salaries	56,652.00	
For other expenses	32,300.00	
For equipment purchases	2,500.00	
Total		91,452.00

The above appropriation shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

XXVII. BOARD OF NURSES EXAMINERS AND REGISTRATION:

For the fiscal year ending September 30, 1956:

For salaries	18,364.00	
For other expenses	9,977.00	
For equipment purchases	1,000.00	
Total		29,841.00

For the fiscal year ending September 30, 1957:

For salaries	19,683.00	
For other expenses	9,470.00	
For equipment purchases	1,500.00	
Total		30,653.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

XXVIII. OIL AND GAS BOARD:

For the fiscal year ending September 30, 1956:

For salaries	32,616.00	
For other expenses	15,687.50	
For equipment purchases	5,500.00	
For salaries and expenses incurred in opening new oil fields	10,000.00	
Total		63,803.50

For the fiscal year ending September
30, 1957:

For salaries	33,843.75
For other expenses	15,687.50
For equipment purchases	5,500.00
For salaries and expenses incurred in opening new oil fields	15,000.00

Total

70,031.25

The above appropriation is payable out of the funds in the State Treasury to the credit of the Oil and Gas Fund pursuant to the provisions of Act No. 1, approved May 22, 1945.

XXIX. PENSIONS:

1. For confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows.

2. PENSION COMMISSION:

For the fiscal year ending September
30, 1956:

For salaries	4,200.00
For other expenses	400.00
For equipment purchases	300.00

Total

4,900.00

For the fiscal year ending September
30, 1957:

For salaries	4,200.00
For other expenses	400.00

Total

4,600.00

The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, of the Code of Alabama 1940.

XXX. PERSONNEL DEPARTMENT:

For the fiscal year ending September
30, 1956:

For salary of the Director	7,500.00
For other salaries	81,000.00
For other expenses	16,000.00
For equipment purchases	1,000.00

Total

105,500.00

For the fiscal year ending September
30, 1957:

For salary of the Director	7,500.00
For other salaries	83,500.00
For other expenses	16,000.00

For equipment purchases	1,500.00	
Total		108,500.00

The above appropriation shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

XXXI. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XXXII. PHYSICIANS' ASSOCIATION:

For salaries, other expenses and equipment purchases	12,500.00
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XXXIII. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and Two Associate Commissioners	21,300.00	
For other salaries	117,228.00	
For other expenses	58,767.00	
For equipment purchases	6,000.00	
Total		203,295.00

The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts of percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

XXXIV. DEPARTMENT OF PUBLIC WELFARE:

For the salary of the Commissioner.....	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956	10,879.00
For the fiscal year ending September 30, 1957	11,176.00
For other salaries and expenses incident to the operation and management of the Department for	

all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item V (16) all Federal, State, County and Municipal funds made available therefor, provided that not more than the sum of two million dollars (\$2,000,000.00) of the State funds made available for welfare purposes may be used for administrative purposes of the Department, provided further, that not more than twenty-seven and one-half percentum of the State funds made available for welfare purposes may be allotted in any one quarter of a fiscal year.

XXXV. ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September
30, 1956:

For salaries	18,204.00	
For other expenses	17,085.00	
For equipment purchases	1,200.00	
Total		36,489.00

For the fiscal year ending September
30, 1957:

For salaries	18,684.00	
For other expenses	16,885.00	
For equipment purchases	500.00	
Total		36,069.00

The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the amounts appropriated herein shall be the maximum expenditure pursuant thereto.

XXXVI. STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September
30, 1956:

For salaries	900.00	
For other expenses	1,702.50	
Total		2,602.50

For the fiscal year ending September
30, 1957:

For salaries	900.00	
For other expenses	1,710.00	
For equipment purchases	120.00	
Total		2,730.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

XXXVII: STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September
30, 1956:

For salaries	11,340.00
For other expenses	6,725.00
For equipment purchases	400.00

Total	18,465.00
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For the fiscal year ending September
30, 1957:

For salaries	11,880.00
For other expenses	7,725.00
For equipment purchases	500.00

Total	20,105.00
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The above appropriation is payable out of the funds
in the State Treasury to the credit of the Profes-
sional Engineers Fund as provided in Title 46,
Chapter 7, Code of Alabama 1940, as amended.

XXXVIII. DEPARTMENT OF REVENUE:

For the Administrative Account of the Department
of Revenue there is hereby transferred from the
General Fund and appropriated as provided in Item
V (19) of this Act,

For the fiscal year ending September 30, 1956	315,738.00
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For the fiscal year ending September 30, 1957	322,200.00
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There is hereby appropriated for transfer to Reve-
nue Department, Administrative Account, from the
gross proceeds of Financial Institutions Excise
Tax collections as part of the cost of operating said
Department,

For the fiscal year ending September 30, 1956	26,176.00
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For the fiscal year ending September 30, 1957	26,712.00
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There is hereby appropriated for transfer to Reve-
nue Department, Administrative Account, from the
gross proceeds of Gasoline Tax collections as part
of the cost of operating said Department,

For the fiscal year ending September 30, 1956	110,000.00
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For the fiscal year ending September 30, 1957	110,000.00
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There is hereby appropriated for transfer to Reve-
nue Department, Administrative Account, from In-
come Tax collections, for the cost of collecting said
tax,

For the fiscal year ending September 30, 1956	445,000.00
For the fiscal year ending September 30, 1957	445,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	90,000.00
For the fiscal year ending September 30, 1957	90,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	60,000.00
For the fiscal year ending September 30, 1957	60,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	391,400.00
For the fiscal year ending September 30, 1957	420,900.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	3,467.00
For the fiscal year ending September 30, 1957	3,538.00

There is hereby appropriated for transfer to the Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-mill ad valorem tax,

For the fiscal year ending September 30, 1956	70,317.00
For the fiscal year ending September 30, 1957	71,756.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956	1,249,103.00
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For the fiscal year ending September
30, 1957 1,274,670.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 18,066.00

For the fiscal year ending September
30, 1957 18,436.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 227,010.00

For the fiscal year ending September
30, 1957 231,656.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September
30, 1956 100,184.00

For the fiscal year ending September
30, 1957 102,234.00

There is hereby appropriated for transfer to Revenue Department Administrative Account, from the gross proceeds from the tax collections under the provisions of the Constitutional Amendment proposed by H. B. 683, conditional upon the ratification of said Constitutional Amendment 225,000.00

For the fiscal year ending September
30, 1956:

Total 3,106,461.00

For the fiscal year ending September
30, 1957:

Total 3,177,102.00

Total Conditional 225,000.00

DEPARTMENT OF REVENUE — ADMINISTRATIVE ACCOUNT:

For the fiscal year ending September
30, 1956:

For the salary of the Commissioner 10,000.00

For other salaries 1,886,590.00

For other expenses 1,049,361.00

For equipment purchases 33,000.00

For transfer to State Personnel Department 4,510.00

Total 2,983,461.00

For the fiscal year ending September
30, 1957:

For the salary of the Commissioner	10,000.00	
For other salaries	1,931,267.00	
For other expenses	1,083,202.00	
For equipment purchases	25,000.00	
For transfer to State Personnel Depart- ment	4,633.00	
Total		3,054,102.00

For salaries, other expenses and equip-
ment purchases incident to the main-
tenance and operation of the Depart-
ment of Revenue in collecting the taxes
levied under the provision of the con-
stitutional amendment proposed by H.
B. 683, conditional upon the ratification
of said constitutional amendment

225,000.00

The amounts hereinabove appropriated for the cost
of maintenance and operation of the Department
of Revenue are in lieu of any other statutory
provision for the payment of the cost of operating
said Department or collection of the taxes as au-
thorized by law. Provided, however, in addition to
the amount hereinabove appropriated, there is
hereby appropriated to the Department of Revenue
all sums allowed the Department of Revenue by
Local Acts of the Legislature as a charge for the
collection of taxes or licenses.

XXXIX. STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	2,900.00	
Total		3,000.00

The above appropriation is payable out of funds in
the State Treasury to the credit of the State Board
of Veterinary Medical Examiners, pursuant to the
provisions of Act No. 945, approved September 13,
1951.

XL. SHIPPING POINT INSPECTION:

For the payment of expenses and sal- aries incident to operation of ship- ping Point Inspection of Depart- ment of Agriculture and Industries...	15,000.00
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(This is the appropriation contemplated in
Item XII B (3))

In addition to the above appropriation, there is also
hereby appropriated for Shipping Point Inspec-
tion, all fees and charges collected by the Com-
missioner of Agriculture and Industries under the
provisions of Title 2, Chapter 1, Article 25, Code
of Alabama 1940, pursuant to an agreement with
the U. S. Department of Agriculture whereby co-

operative Federal-State shipping point and terminal market inspection services for grading and classification of agricultural commodities are performed.

The above appropriation shall be paid out of the receipts to the Shipping Point Inspection Fund.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and that in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for these appropriations designated as 'estimated', and all appropriations herein made except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities, or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be, and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1955.

JAMES A. BRANNAN, II

BRYCE C. DAVIS

JESSE BROWN

Conferees on the part of the
House

BROUGHTON LAMBERTH

RICHMOND M. FLOWERS

E. O. EDDINS

Conferees on the part of the
Senate.

And said bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended by the report of the Committee of Conference was again read at length and passed.

And said Report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

Mr. Eddins moved that the Senate concur in the foregoing report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 206, the title of which and said Conference report is set out in the foregoing Message from the House.

Mr. Boutwell moved as a substitute motion that the Senate non-concur in said Conference report and request further Conference.

On motion of Mr. Lamberth, the motion to non-concur was laid on the table.

Yeas 25; Nays 10.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Bradford	Grisham	Newton	Tate
Cantrell	Jones	Reeves	Van Antwerp
Dyar	Lamberth	Roberts	Vann
Eddins	Leonard	Shelton	Yarbrough (Randolph)
Engelhardt	Little		

—25

Nays

Messrs.:	Coleman	Davis (Pickens)	Robison
Boutwell	Cooper	Givhan	Yarbrough (Autauga)
Calvin	Davis (Lowndes)	James	

—10

The question recurred on the motion of Mr. Eddins, and the Senate concurred in and adopted the report of the Committee on Conference on H. B. 206.

Yeas 32; Nays 3.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Newton	Van Antwerp
Cantrell	James	Reeves	Vann
Davis (Pickens)	Jones	Roberts	Yarbrough (Autauga)
Dyar	Lamberth	Robison	Yarbrough (Randolph)
Eddins			

—32

Nays: Messrs. Coleman, Cooper and Davis (Lowndes).

—3

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the majority report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

And said bill, together with the Majority Report and Minority Report, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolutions:

By Mr. Pruitt:

H. J. R. 100. BE IT RESOLVED by the House of Representatives, the Senate concurring that H. B. 584 passed by the Senate on the 2nd day of September 1955, be and the same is hereby known as the Harrison-Goodwin Bill.

Also:

By Mr. Pruitt:

H. J. R. 99. BE IT RESOLVED by the House of Representatives, the Senate concurring that H. B. 85 passed by the Senate on the 2nd day of September 1955, be and the same is hereby known as the Harrison-Fite-Skidmore Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolutions, H. J. R. 99 and H. J. R. 100, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

RECESS

At 6:55 P. M., on motion of Mr. Smith, the Senate took a recess until 8 o'clock tonight.

NIGHT SESSION
THIRTY-SIXTH LEGISLATIVE DAY
FRIDAY, SEPTEMBER 2, 1955

The Senate reassembled at 8 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

—35

BILLS ON THIRD READING

The Bill:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

Was taken up.

Mr. Van Antwerp offered the following substitute for the Bill, to-wit:

SENATE SUBSTITUTE FOR H. B. 900

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section 1. The boundaries of the City of Mobile are hereby so altered, rearranged and fixed as to be as follows:

Commencing at the intersection of the West Harbor line of Mobile River and the Township line between Township 3 South and Township 4 South; thence eastwardly along said Township line to the point where the same intersects the east shore line of Blakeley Island on Polecat Bay; thence southwardly along the meanders of the said east shore line of Blakeley Island and the north shore line of the Mobile Bay Bridge Causeway to a point on said north shore line of said causeway where said shore line is intersected by the north-south coordinate line 336,000 of the Transverse Mercator Projection for Alabama West Zone as used officially on maps of Mobile Bay Area by the United States Corps of Engineers; thence south along said coordinate line to the point of its

intersection with the South Boundary Line of Township 4 South; thence westwardly along said Township Line between Township 4 South and Township 5 South to the point where the same intersects the North right-of-way line of the Louisville & Nashville Railroad; thence South-westwardly along the North right-of-way line of the Louisville & Nashville Railroad to the West bank of Dog River; thence Northwestwardly along the West bank of Dog River to the North bank of Bolton Branch; thence Northwestwardly along the North bank of Bolton Branch to the Range line between Range 1 West and Range 2 West of the St. Stephens Meridian; thence due North along said Range line to the Southwest corner of Section 6, Township 4 South, Range 1 West of the St. Stephens Meridian; thence East along the South line of Section 6, and continue East along the South line of Section 5 of said Township 4 South, Range 1 West, in a straight line to the Southeast line of Alley No. 1 (Prichard Lane); thence Northeastwardly along the South property line of Alley No. 1 (Prichard Lane) to the point where the same intersects the East property line of College Avenue; thence Southeastwardly along the East and North property lines of College Avenue to the North property line of Sweeney's Lane; thence Southwestwardly along the North property line of Sweeney's Lane to the West bank of Toulmin's Branch; thence Southeastwardly along the West bank of Toulmin's Branch to a point directly West of the South boundary line to the city of Prichard; thence Eastwardly, Northwardly and Eastwardly, along the boundary line of the City of Prichard to the Southeast corner of the Craftview Court subdivision; thence directly Eastwardly to the point of intersection of the West boundary line of West Highlands subdivision; thence Northwardly along the West Boundary line of West Highlands subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of said subdivision to the West right-of-way line of Telegraph Road; thence Northwestwardly along said right-of-way line to the South right-of-way line of the Bay Bridge Road; thence Eastwardly along said South right-of-way line to the East right-of-way line of the Southern Railroad; thence Northwestwardly along the East right-of-way line of the Southern Railroad to the point where the same intersects the Township line between Township 3 South and Township 4 South; and thence Eastwardly to the point of beginning at the intersection of said Township line and the West Harbor line of Mobile River.

Section 2. This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Givhan	Shelton
Allen	Cooper	Grisham	Van Antwerp
Boutwell	Davis (Lowndes)	Leonard	Vann
Bradford	Davis (Pickens)	Reeves	Yarbrough (Autauga)
Calvin	Engelhardt	Roberts	Yarbrough (Randolph)
Cantrell	Flowers	Robison	

—21

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Davis (Lowndes)	Dyar
Allen	Calvin	Davis (Pickens)	Goodwin

Lamberth
Leonard
Little
Moses

Newton
Reeves
Roberts
Robison

Shelton
Skidmore
Smith

Van Antwerp
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

The Bill:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin
Grisham
James

Jones
Lamberth
Leonard
Little
Metcalf
Moses
Newton
Reeves

Roberts
Robison
Shelton
Skidmore
Tate
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—32

The Bill:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Bradford
Calvin
Cantrell
Coleman
Cooper
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin
Grisham
James
Jones

Lamberth
Leonard
Metcalf
Moses
Newton
Reeves
Roberts
Robison

Shelton
Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—33

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 88. Expressing appreciation and thanks to J. V. Jordan, State Budget Officer, for advice and assistance rendered the Legislature during current session.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

Also:

S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

Also:

S. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Also:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Also:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones	Robison	

—34

The Bill:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—33

The Bill:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Newton	Van Antwerp
Coleman	James	Reeves	Vann
Davis (Pickens)	Jones	Roberts	Yarbrough (Autauga)
Dyar	Lamberth	Robison	Yarbrough (Randolph)

—31

The Bill:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

Was read a third time at length and passed.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Boutwell	Eddins	Lamberth	Skidmore
Bradford	Engelhardt	Leonard	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Coleman	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Pickens)	James	Robison	Yarbrough (Randolph)

—31

Nays: Messrs. Allen and Newton.

—2

The Bill:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Skidmore
Allen	Eddins	Leonard	Smith
Bradford	Engelhardt	Metcalf	Tate
Calvin	Flowers	Newton	Van Antwerp
Cantrell	Givhan	Reeves	Vann
Coleman	Grisham	Roberts	Yarbrough (Autauga)
Cooper	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones	Shelton	

—30

The Bill:

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Skidmore
Allen	Dyar	Lamberth	Smith
Boutwell	Eddins	Leonard	Tate
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Newton	Vann
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Coleman	Grisham	Robison	Yarbrough (Randolph)
Cooper	James	Shelton	

—30

The Bill:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Cantrell	Dyar	Grisham
Allen	Coleman	Engelhardt	James
Boutwell	Cooper	Flowers	Jones
Bradford	Davis (Lowndes)	Givhan	Lamberth
Calvin	Davis (Pickens)	Goodwin	Leonard

Little	Roberts	Smith	Vann
Metcalf	Robison	Tate	Yarbrough (Autauga)
Newton	Shelton	Van Antwerp	Yarbrough (Randolph)
Reeves	Skidmore		

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 93. Relative to commending Honorable Walter C. Givhan.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)			

—32

The Bill:

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Skidmore
Allen	Flowers	Metcalf	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Reeves	Van Antwerp
Coleman	James	Roberts	Vann
Davis (Lowndes)	Jones	Robison	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Shelton	Yarbrough (Randolph)
Dyar	Leonard		

—29

The Bill:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Robison
Allen	Dyar	Jones	Shelton
Boutwell	Eddins	Lamberth	Skidmore
Bradford	Engelhardt	Leonard	Smith
Calvin	Flowers	Little	Tate
Cantrell	Givhan	Metcalf	Van Antwerp
Coleman	Goodwin	Moses	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Lowndes)			

—32

The Bill:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

Was read a third time at length and passed.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Dyar	Little	Skidmore
Allen	Flowers	Metcalf	Smith
Bradford	Goodwin	Reeves	Van Antwerp
Calvin	Grisham	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Randolph)
Cooper	Leonard		

—21

Nays:

Messrs.:	Eddins	Jones	Tate
Coleman	Givhan	Newton	Yarbrough (Autauga)
Davis (Pickens)	James		

—9

The Bill:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said act as amended, by providing that the exemption contained in Subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Bradford	Cooper	Eddins
Allen	Coleman	Dyar	Engelhardt

Flowers	Leonard	Reeves	Tate
Givhan	Little	Roberts	Van Antwerp
Goodwin	Metcalf	Robison	Vann
James	Moses	Skidmore	Yarbrough (Autauga)
Jones	Newton	Smith	Yarbrough (Randolph)
Lamberth			

—28

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Also:

H. 960. To provide further for financing the operation of schools and educational institutions; to authorize the Alabama Public Schools Corporation, organization of which is provided for in Article 10, Chapter 10, Title 52, Alabama Code of 1940, to borrow money in behalf of certain state educational agencies and institutions and in evidence of the borrowing to sell and issue interest bearing notes or warrants payable solely out of the current appropriation from the Alabama State Educational Trust Fund to the agency or institution for which any such borrowing shall be made; to authorize said corporation to pledge for payment of any such note or warrant the proceeds of the current appropriation out of which such note or warrant is payable; to specify the priority in lien of any such notes and warrants; to specify the restrictions, conditions and limitations subject to which such notes and warrants may be issued and such pledges made; and to provide that such notes and warrants and the interest thereon shall be exempt from taxation in this state, and that such notes and warrants shall be eligible to secure deposits of state funds.

Also:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

Also:

H. 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Also:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Also:

H. J. R. 92. Relative to binding the Acts and Journals of the three previous Special Sessions with the Acts and Journals of the Regular Session.

Also:

H. J. R. 99. Relative to naming House Bill 85.

Also:

H. J. R. 93. Relative to relieving the Secretary of the Senate, Clerk of the House, Secretary of State and doorkeepers of any responsibilities for the Codes and Supplements furnished the members of the Legislature.

Also:

H. J. R. 95. Relative to extending thanks to Mr. Herbert Nation for his efficient and capable manner in which he printed the documents of the Legislature.

Also:

H. 62. Authorizing the creation of a public corporation within any county in the State which shall have the power to construct, lease, own and operate projects for irrigation and other purposes, sell water and have certain other powers and duties; prescribing the means and fixing the responsibility for the issuance of permits to the Corporation for construction and operation of projects and fixing the responsibility regarding compliance with the terms of the permit; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Also:

H. J. R. 100. Relative to naming House Bill 584.

Also:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

Also:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

Also:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

Also:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Also:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

Also:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Also:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Also:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Richardson:

HOUSE JOINT RESOLUTION No. 101. WHEREAS, the State of Alabama expends the sum of \$50,000.00 annually for the control of pollution of the public streams, and whereas, it is to the interest of the people of Alabama that stream pollution be abated in the State of Alabama, and

WHEREAS, certain streams of the State of Alabama are in a most deplorable state,

Now therefore, be it resolved by the House, the Senate concurring, that a committee of three; consisting of two members of the House to be

appointed by the Speaker and one member of the Senate to be appointed by the President of the Senate; be appointed to study the problem of pollution of public streams and laws pertaining thereto and to report their finding to the next session of the Legislature. Said members of the Committee are to elect from their number a chairman and are to meet as a committee at his call; for not more than thirty calendar days. Said members to receive their regular legislative compensation while so engaged in this work.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Coleman, the Rules were suspended and the Resolution, H. J. R. 101, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 294. To amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—29

The Bill:

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Newton	Van Antwerp
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Coleman	James	Robison	Yarbrough (Randolph)
Cooper	Jones		

—25

The Bill:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Robison
Allen	Davis (Pickens)	Jones	Skidmore
Boutwell	Dyar	Lamberth	Smith
Bradford	Engelhardt	Leonard	Van Antwerp
Calvin	Flowers	Metcalf	Yarbrough (Autauga)
Cantrell	Givhan	Roberts	Yarbrough (Randolph)
Coleman	Goodwin		

—25

The Bill:

H. 164. To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	Givhan	Reeves	Van Antwerp
Calvin	Goodwin	Roberts	Vann
Cantrell	Grisham	Robison	Yarbrough (Autauga)
Coleman	James	Shelton	Yarbrough (Randolph)
Davis (Pickens)	Lamberth		

—29

The Bill:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO H. B. 424

Amend Section 1 (sub-section 14) to read as follows:

"Earnings compensation" shall mean the full rate of compensation, excluding that part of his salary above \$4200.00, that would be payable to an employee if he worked the full normal working time. In cases where compensation includes maintenance, the Board of Control shall fix the value of that part of the compensation not paid in money.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Robison
Allen	Davis (Pickens)	Jones	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Newton	Yarbrough (Autauga)
Cantrell	Goodwin	Reeves	Yarbrough (Randolph)
Coleman	Grisham	Roberts	

—26

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Shelton
Allen	Davis (Lowndes)	Jones	Skidmore
Boutwell	Davis (Pickens)	Lamberth	Tate
Bradford	Dyar	Newton	Van Antwerp
Calvin	Flowers	Roberts	Yarbrough (Autauga)
Cantrell	Givhan	Robison	Yarbrough (Randolph)
Coleman	Grisham		

—25

The Bill:

H. 115. Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Shelton
Bradford	Flowers	Little	Skidmore
Cantrell	Goodwin	Metcalf	Tate
Coleman	Grisham	Newton	Van Antwerp
Cooper	James	Reeves	Yarbrough (Autauga)

—27

The Bill:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engelhardt	Lamberth	Roberts
Allen	Flowers	Leonard	Shelton
Boutwell	Givhan	Little	Smith
Bradford	Goodwin	Metcalf	Tate
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Coleman	James	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—25

The Bill:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Skidmore
Allen	Flowers	Metcalf	Smith
Bradford	Givhan	Newton	Tate
Calvin	Goodwin	Reeves	Van Antwerp
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Coleman	Lamberth	Robison	Yarbrough (Randolph)
Cooper	Leonard	Shelton	

—26

The Bill:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Was read a third time at length and passed.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Calvin	Goodwin	Newton	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Coleman	James	Roberts	Yarbrough (Randolph)
Cooper	Lamberth		

—25

Nays:

Messrs.:	Davis (Pickens)	Robison	Yarbrough (Autauga)
Bradford	Engelhardt	Tate	

—6

The Bill:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 334

Amend the title and body of H. B. 334 by striking therefrom where ever they appear the words "not otherwise appropriated" and insert in lieu thereof the words "to the credit of the Agricultural Fund".

On motion of Mr. Givhan, said amendment was laid on the table.

And said Bill was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Metcalf	Skidmore
Bradford	Engelhardt	Newton	Tate
Calvin	Givhan	Reeves	Van Antwerp
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Coleman			

—24

The Bill:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Coleman	Grisham	Roberts
Allen	Cooper	James	Shelton
Boutwell	Engelhardt	Lamberth	Skidmore
Bradford	Flowers	Leonard	Tate
Calvin	Givhan	Little	Yarbrough (Autauga)
Cantrell	Goodwin	Metcalf	Yarbrough (Randolph)

—23

The Bill:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Newton	Tate
Calvin	Goodwin	Reeves	Van Antwerp
Cantrell	James	Roberts	Yarbrough (Autauga)
Coleman	Jones	Robison	Yarbrough (Randolph)
Cooper			

—28

RESOLUTIONS

Mr. Reeves offered the following Senate Joint Resolution, to-wit:

S. J. R. 96. Resolved by the Senate of Alabama, the House of Representatives concurring, that H. B. No. 676, which has passed both Houses, be known and designated as "The Harrison, Reeves, Dement, Locke (Choctaw), Lee (Barbour), Ramey, McClendon (Bullock), Ward, Brown (Lee), Thomas, Brannan, Brassell, and Johnson (Tallapoosa) Bill."

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, S. J. R. 96, was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds, to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Grisham	Shelton
Allen	Davis (Pickens)	James	Skidmore
Boutwell	Dyar	Lamberth	Smith
Bradford	Engelhardt	Leonard	Tate
Calvin	Flowers	Metcalf	Vann
Cantrell	Givhan	Newton	Yarbrough (Autauga)
Coleman	Goodwin	Robison	Yarbrough (Randolph)

—27

The Bill:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipi-

pality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Coleman	Lamberth	Roberts
Allen	Cooper	Leonard	Shelton
Boutwell	Davis (Lowndes)	Little	Skidmore
Bradford	Dyar	Metcalf	Van Antwerp
Calvin	Goodwin	Newton	Yarbrough (Autauga)
Cantrell	James	Reeves	Yarbrough (Randolph)

—23

The Bill:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Was read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Cooper	Lamberth	Robison
Allen	Dyar	Leonard	Shelton
Boutwell	Engelhardt	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Goodwin	Newton	Yarbrough (Autauga)
Cantrell	Grisham	Roberts	Yarbrough (Randolph)
Coleman	James		

—25

Nay: Mr. Davis (Pickens).

—1

The Bill:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Coleman	Grisham	Newton
Allen	Cooper	James	Robison
Boutwell	Davis (Pickens)	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Yarbrough (Autauga)
Cantrell	Goodwin	Metcalf	Yarbrough (Randolph)

—23

The Bill:

H. 146. To amend Sec. 1 of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940).

Was read a third time at length and passed.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Boutwell	Calvin	Davis (Pickens)
Allen	Bradford	Cantrell	Dyar

Eddins	Jones	Moses	Shelton
Flowers	Lamberth	Newton	Skidmore
Givhan	Leonard	Reeves	Smith
Goodwin	Little	Roberts	Vann
Grisham	Metcalf	Robison	Yarbrough (Randolph)

—27

Nays:

Messrs.:	James	Van Antwerp	Yarbrough (Autauga)
Coleman	Tate		

—5

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Also:

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Also:

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Also:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

Also:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Also:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

Also:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

Also:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Was read a third time at length and passed.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Bradford	Flowers	Leonard	Robison
Calvin	Goodwin	Little	Shelton
Cantrell	Grisham	Metcalf	Skidmore
Coleman	James	Newton	Yarbrough (Randolph)
Dyar	Jones	Reeves	

—22

Nays: Messrs. Davis (Pickens), Tate, Van Antwerp and Yarbrough (Autauga). —4

The Bill:

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obliga-

tions and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Goodwin	Newton	Van Antwerp
Calvin	Grisham	Reeves	Vann
Cantrell	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Robison	Yarbrough (Randolph)
Dyar			

—28

Nays: Messrs. Coleman and Tate.

—2

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled

Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 93. Commending Senator Walter Givhan for his efforts in behalf of promotion of legislation to further agricultural development in the State.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 189

Amend House Bill 189 by adding at the end of Section 1 of said Bill the following words and figures:

"In all counties having a population of 225,000 or more inhabitants according to the last or any subsequent decennial federal census the License Commissioner, Director of Revenue or other official in such counties now charged with the duty of collecting ad valorem taxes due the state and county on motor vehicles shall continue to collect said ad valorem tax due the state and county on motor vehicles and all fees, charges and commissions for collecting said ad valorem tax on motor vehicles provided in Section 1 of this Act to be paid to Tax Collector shall be paid to said License Commissioner, Director of Revenue or other official now charged with the collection of said ad valorem tax on motor vehicles in such county and he shall pay said commissions into the county treasury and all commissions collected by the Tax Collector in such counties who is on a salary basis shall be paid into the county treasury and said commissions so collected and paid into the county treasury shall be the property of the county."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Engelhardt	Little	Smith
Boutwell	Givhan	Metcalfe	Tate
Bradford	Goodwin	Newton	Van Antwerp
Calvin	Grisham	Reeves	Vann
Cantrell	Jones	Roberts	Yarbrough (Autauga)
Coleman	Lamberth	Robison	Yarbrough (Randolph)
Davis (Pickens)			

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Little	Van Antwerp
Calvin	Goodwin	Metcalf	Yarbrough (Autauga)
Cantrell	Grisham	Newton	Yarbrough (Randolph)
Coleman	James		

—25

Nay: Mr. Vann.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Also:

H. 294. To amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Also:

H. 164. To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Also:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 115. Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Also:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Also:

H. J. R. 101. Relative to appointing a Legislative committee to study the problem of pollution of public streams.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL NO. 190

Amend House Bill 190 by adding at the end of Section 1 of said Bill the following words and figures:

"In all counties having a population of 225,000 or more inhabitants according to the last or any subsequent decennial federal census the License Commissioner, Director of Revenue or other official now charged with the duty of assessing motor vehicles for ad valorem taxation shall continue to assess said motor vehicles for state and county ad valorem tax and all fees, charges and commissions for assessing state and county ad valorem tax on motor vehicles provided in Section 1 of this Act to be paid to Tax Assessor shall be paid to said License Commissioner, Director of Revenue or other official now charged with the assessing of motor vehicles for ad valorem taxes in such counties and he shall pay said commissions into the county treasury and all commissions collected by the Tax Assessor in such counties who is on a salary basis shall be paid into the county treasury and said commissions so collected and paid into the county treasury shall be the property of the county.

Which was adopted.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Givhan	Little	Van Antwerp
Calvin	Goodwin	Reeves	Yarbrough (Autauga)
Cantrell	Grisham	Roberts	Yarbrough (Randolph)
Coleman	James		

—25

Nay: Mr. Vann.

—1

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Reeves
Allen	Dyar	Jones	Roberts
Boutwell	Engelhardt	Lamberth	Robison
Bradford	Flowers	Leonard	Shelton
Calvin	Givhan	Little	Skidmore
Cantrell	Goodwin	Metcalf	Van Antwerp
Coleman	Grisham	Newton	Yarbrough (Randolph)

—27

RESOLUTION

Mr. Engelhardt offered the following Senate Resolution, to-wit:

S. R. 97. Whereas one member of this body has by his insight into governmental problems, his astuteness, his statesmanship, his complete knowledge and understanding of parliamentary procedure, his wit and his genial nature merited the praise of his fellow Senators.

NOW THEREFORE BE IT RESOLVED BY THE SENATE that:

The Honorable James S. Coleman, the Senator from the Thirty-second District, is hereby acclaimed one of Alabama's outstanding orators, statesmen, parliamentarians and humanitarians.

On motion of Mr. Engelhardt the Rules were suspended and the Resolution S. R. 97, was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 816

**A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 4, H. 6, approved January 25, 1951, entitled "An Act relating to the salaries and compensation payable to certain non-elective state officers" (Acts of 1950-51, Vol. 1, p. 167), is amended to read as follows:

"The salary of each of the several state officers named in this section shall be fixed by the Governor, not to exceed the amount herein set forth:

"For the Director, Highway Department, \$10,000 per annum;

"For the Director, Department of Conservation, \$10,000 per annum;

"For the Director, Department of Finance, \$10,000 per annum;

"For the Commissioner of Revenue, \$10,000 per annum;

"For the Governor's Legal Adviser, \$10,000 per annum;

"For the Governor's Secretary, \$10,000 per annum;

"For the Governor's Press Secretary, \$10,000 per annum;

"For the Adjutant General, \$9,000 per annum;

"For the Director, Department of Labor, \$9,000 per annum;

"For the Director, Department of Civil Defense, \$9,000 per annum;
"For the Assistant Administrator of the Alabama Alcoholic Beverage Control Board, \$9,000 per annum;

"For the Director, Department of Publicity & Information, \$9,000 per annum;

"For the Assistant Chief Examiner of Public Accounts, \$9,000 per annum;

"For the Director, Department of Insurance, \$9,000 per annum;

"The salary of one Executive assistant for each of the following departments shall be fixed by the chief executive officer of the department, with the approval of the Governor, at an amount not to exceed nine thousand dollars per annum: 1) Department of Finance, 2) Department of Conservation, 3) Highway Department, 4) Revenue Department, 5) Department of Public Safety, 6) Department of Industrial Relations, 7) Department of Education and 8) For the Administrative Assistant to the Director of the Department of Labor and the Deputy Adjutant General not to exceed \$8,000 to be fixed by the head of the Department with the approval of the Governor.

Section 2. Section 2 of said Act No. 4, H. 6, is amended to read as follows:

"The salary of each of the state officials named in this section shall be the amount as herein set forth, and no more:

"For each member of the Board of Pardons and Paroles, \$7,500 per annum;

"For the Director, Personnel Department, \$9,000 per annum;

"For the State Service Commissioner (Director, Department of Veterans' Affairs), \$9,000 per annum;

"For the Director, Legislative Reference Service, \$10,000 per annum."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Robison offered the following amendment to the substitute for the Bill, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 816

Amend Section 1 of substitute for H. B. 816 by striking from said Section 1 the words and figures:

"For the assistant Chief Examiner of Public Accounts, \$9,000.00 per annum."

Where same appear in said Section 1.

Amend Section 2 of substitute for H. B. 816 by adding at the end of said Section 2 the words and figures:

"For the assistant Chief Examiner of Public Accounts, \$9,000.00 per annum."

Which was adopted.

And said substitute, as thus amended, for the bill, was then adopted by the Senate.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Engelhardt	Leonard	Robison
Allen	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Cantrell	Goodwin	Moses	Tate
Coleman	Grisham	Newton	Van Antwerp
Davis (Lowndes)	Jones	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Roberts	Yarbrough (Randolph)
Eddins			

—28

Nays: Messrs. Calvin and James.

—2

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 28; Nays 3.

Yeas:

Messrs.:	Givhan	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Bradford	Grisham	Newton	Tate
Cantrell	Jones	Reeves	Van Antwerp
Davis (Pickens)	Lamberth	Roberts	Vann
Dyar	Leonard	Robison	Yarbrough (Autauga)
Eddins	Little	Shelton	Yarbrough (Randolph)
Flowers			

—28

Nays: Messrs. Calvin, Coleman, and James.

—3

RESOLUTION

The following Resolution was offered by the Rules Committee, to-wit:

S. R. 98. Resolved by the Senate that the following shall be the further special, paramount and continuing order of business superseding all and any prior special orders.

HOUSE BILL

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Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Robison
Allen	Engelhardt	Little	Shelton
Boutwell	Flowers	Metcalf	Skidmore
Bradford	Goodwin	Moses	Smith
Calvin	Grisham	Newton	Van Antwerp
Cantrell	James	Reeves	Yarbrough (Autauga)
Coleman	Jones	Roberts	Yarbrough (Randolph)
Davis (Lowndes)			

—28

The Bill:

H. 255. To provide further for acquiring rights of way for state roads.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Dyar	Jones	Skidmore
Bradford	Eddins	Lamberth	Smith
Calvin	Engelhardt	Leonard	Tate
Cantrell	Flowers	Newton	Van Antwerp
Coleman	Givhan	Reeves	Yarbrough (Autauga)
Cooper	Goodwin	Robison	Yarbrough (Randolph)

—27

The Bill:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing

or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Moses	Smith
Bradford	Givhan	Newton	Tate
Calvin	Goodwin	Reeves	Van Antwerp
Cantrell	Grisham	Roberts	Yarbrough (Autauga)
Coleman	Jones	Robison	Yarbrough (Randolph)
Davis (Pickens)			

—28

The Bill:

H. 350. To fix the compensation of certain State Officers.

Was read a third time at length and passed.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Allen	Dyar	Lamberth	Skidmore
Boutwell	Eddins	Little	Tate
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Newton	Vann
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Coleman	Grisham	Robison	Yarbrough (Randolph)

—27

Nay: Mr. James.

—1

The Bill:

H. 9. To amend Title 14, Section 217, Code of 1940.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Little	Skidmore
Bradford	Flowers	Moses	Smith
Calvin	Givhan	Newton	Van Antwerp
Coleman	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		

—29

The Bill:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of

accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments."

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	James	Robison
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Coleman	Grisham	Roberts	

—26

The Bill:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Dyar	Jones	Robison
Boutwell	Engelhardt	Lamberth	Shelton
Bradford	Flowers	Little	Smith
Cantrell	Givhan	Metcalf	Tate
Coleman	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Pickens)	James	Reeves	

—26

Nay: Mr. Skidmore.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Also:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

Also:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Also:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Also:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Also:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Also:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Also:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use

of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested.

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Also:

H. 146. To amend Sec. 1, of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940).

Also:

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Metcalf	Skidmore
Bradford	Givhan	Moses	Smith
Calvin	Goodwin	Newton	Tate
Cooper	Grisham	Reeves	Van Antwerp
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—28

Nay: Mr. Coleman.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 96. Designating House Bill 676.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Resolution with the original Senate Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 96: Relative to naming H. B. No. 676.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

R. T. GOODWYN, JR.,

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940) relating to the compensation of tax assessors.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

R. T. GOODWYN, JR.,
Clerk.

APPOINTMENT OF SELECT COMMITTEE

In accordance with the provisions of H. J. R. 101, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Honorable E. W. Skidmore.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

Delivered to the Secretary of State, August 2, 1955 at 3:55 P. M.

S. B. 234

Delivered to the Governor, August 2, 1955 at 3:55 P. M.

S. B. 248

S. B. 249

S. B. 250

S. J. R. 57

Delivered to the Governor, August 5, 1955 at 10:15 A. M.

S. B. 113

Delivered to the Governor, August 5, 1955 at 12:25 P. M.

S. J. R. 44

S. J. R. 60

S. J. R. 61

Delivered to the Governor, August 9, 1955 at 2:35 P. M.

S. B. 191

Delivered to the Governor, August 12, 1955 at 10:20 A. M.

S. B. 231

S. J. R. 62

Delivered to the Governor, August 16, 1955 at 2:40 P. M.

S. B. 272

S. B. 292

Delivered to the Governor, August 16, 1955 at 5:40 P. M.

S. B. 104

S. B. 105

Delivered to the Governor, August 19, 1955 at 10:40 A. M.

S. B. 83

S. B. 98

S. B. 193

Delivered to the Governor, August 23, 1955 at 12:25 P. M.

S. B. 215

S. B. 315

S. B. 317

S. B. 322

S. B. 323

S. B. 332

Delivered to the Governor, August 23, 1955 at 4:50 P. M.

S. B. 117

S. B. 291

Delivered to the Secretary of State, August 23, 1955 at 4:50 P. M.

S. B. 300

Delivered to the Governor, August 23, 1955 at 4:50 P. M.

S. B. 319

S. B. 337

S. B. 341

S. B. 343

S. B. 344

S. B. 352

S. B. 354

Delivered to the Governor, August 26, 1955 at 10:40 A. M.

S. J. R. 68

Delivered to the Governor, August 26, 1955 at 3:00 P. M.

S. B. 21

S. B. 188

S. B. 355

S. B. 266

S. B. 316

Delivered to the Governor, September 2, 1955 at 11:02 A. M.

S. B. 291

S. B. 22

S. B. 33

S. B. 46

S. B. 106

S. B. 127

S. B. 180

S. B. 197

S. B. 221

Delivered to the Secretary of State, September 2, 1955 at 11:20 A. M.

S. B. 228

Delivered to the Governor, September 2, 1955 at 11:02 A. M.

S. B. 253

S. B. 254

S. B. 279

S. B. 286

S. B. 306

Delivered to the Secretary of State, September 2, 1955 at 2:58 P. M.

S. B. 35

Delivered to the Governor, September 2, 1955 at 2:40 P. M.

S. B. 132

S. B. 200

S. B. 219

S. B. 226

S. B. 241

S. B. 242

S. B. 293

S. B. 243

S. B. 353

S. J. R. 79

Delivered to the Governor, September 2, 1955 at 4:50 P. M.

S. J. R. 85

S. J. R. 86

S. J. R. 89

S. B. 359

S. B. 363

S. B. 364

S. B. 366

S. B. 372

Delivered to the Governor, September 2, 1955 at 8:35 P. M.

S. B. 8

S. B. 25

S. B. 307

S. B. 336

Delivered to the Governor, September 2, 1955 at 8:25 P. M.

S. J. R. 88

S. B. 338

Delivered to the Governor, September 2, 1955 at 10:37 P. M.

S. J. R. 93

S. B. 230

Delivered to the Governor, September 2, 1955 at 11:45 P. M.

S. J. R. 96

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

RESOLUTION

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 99. Resolved by the Senate that the Secretary of the Senate is directed to notify the House that it has completed its business and is ready to adjourn sine die and ascertain if the House has any further communication for the Senate.

And on motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama,

Gentlemen:

I am transmitting to you a message from the Governor, returning Senate Bill 355 without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

SEPTEMBER 2, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 355, without my approval.

The Bill gives dangerous dictatorial powers to the Board of Education of Macon County, Alabama, to such an extent that the inherent Constitutional rights of school teachers in that county, to due process of law would be seriously curtailed.

Respectfully

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from the Governor, containing veto to the bill, S. B. 355, was delivered to the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 9. To amend Title 14, Section 217, Code of 1940.

Also:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received

and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments."

Also:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

Also:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Also:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

Also:

H. 255. To provide further for acquiring rights of way for state roads.

Also:

H. 350. To fix the compensation of certain State Officers.

Also:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Also:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Also:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Also:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an

election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to provisions set out in H. J. R. 101, the Speaker of the House has named as a Committee on the part of the House Messrs. Richardson and deGraffenried.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Kaul:

H. J. R. 103. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that the Legislature do now stand adjourned Sine Die.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Senate concurred in and adopted the resolution, H. J. R. 103, which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Sixth Legislative Day was approved by the Senate.

ADJOURNMENT

At 12 o'clock Midnight, in accordance with joint resolution heretofore adopted, the Senate adjourned sine die.

W. G. (Guy) HARDWICK,
Lieutenant Governor and
President and Presiding Officer
of the Senate.

ATTEST:

J. E. SPEIGHT,
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

Regular Session, 1955

W. G. (Guy) Hardwick, <i>Lieutenant Governor</i>	Dothan
Broughton Lamberth, <i>President Pro Tem</i>	Alexander City
J. E. Speight, <i>Secretary</i>	Montgomery
Ralph E. Macon, <i>Assistant Secretary</i>	Wetumpka
First Senatorial District—Lauderdale and Limestone Counties. Milton C. Grisham.....	Route 6, Athens
Second Senatorial District—Lawrence and Morgan Counties. Joe Calvin.....	P. O. Box 312, Decatur
Third Senatorial District—Blount, Cullman and Winston Counties. Harlan G. Allen.....	Route 2, Cullman
Fourth Senatorial District—Madison County. T. Herman Vann.....	434 Locust St., Huntsville
Fifth Senatorial District—Jackson and Marshall Counties. Smith C. Dyar.....	Route 6, Boaz
Sixth Senatorial District—Etowah and St. Clair Counties. E. L. Roberts.....	752 Forrest Ave., Gadsden
Seventh Senatorial District—Calhoun County. A. C. Shelton.....	Jacksonville
Eighth Senatorial District—Talladega County. G. Kyser Leonard.....	Talladega
Ninth Senatorial District—Chambers and Randolph Counties. Geo. W. Yarbrough.....	Box 15, Wedowee
Tenth Senatorial District—Elmore and Tallapoosa Counties. Broughton Lamberth.....	Alexander City
Eleventh Senatorial District—Tuscaloosa County. E. W. Skidmore.....	411 Alston Bldg., Tuscaloosa
Twelfth Senatorial District—Fayette, Lamar and Walker Counties. Reuben L. Newton.....	Jasper
Thirteenth Senatorial District—Jefferson County. Albert Boutwell.....	1919-20 First National Bank Bldg.
Fourteenth Senatorial District—Pickens and Sumter Counties. Albert Davis.....	Aliceville

ROSTER OF THE SENATE OF ALABAMA—Continued

Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.

Dave L. YarbroughPrattville

Sixteenth Senatorial District—Lowndes County.

Joe B. Davis.....Braggs

Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.

Tully A. Goodwin.....801 North 5th St., Florala

Eighteenth Senatorial District—Bibb and Perry Counties.

H. P. James.....Brent

Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.

Gerald Bradford.....Grove Hill

Twentieth Senatorial District—Marengo County.

E. O. Eddins.....P. O. Box 317, Demopolis

Twenty-first Senatorial District—Baldwin, Escambia and Monroe Counties.

Ralph L. Jones.....Monroeville

Twenty-second Senatorial District—Wilcox County.

Roland Cooper.....c/o Cooper Motor Co., Camden

Twenty-third Senatorial District—Dale and Geneva Counties.

Neil Metcalf.....Box 175, Geneva

Twenty-fourth Senatorial District—Barbour County.

George E. Little.....Eufaula

Twenty-fifth Senatorial District—Coffee, Crenshaw and Pike Counties.

Ben Reeves.....407 Orange St., Troy

Twenty-sixth Senatorial District—Bullock and Macon Counties.

Sam M. Engelhardt, Jr.....Shorter

Twenty-seventh Senatorial District—Lee and Russell Counties.

Joseph W. Smith.....Box 464, Phenix City

Twenty-eighth Senatorial District—Montgomery County.

Vaughan Hill Robison.....34 S. Perry St., Montgomery

Twenty-ninth Senatorial District—Cherokee and DeKalb Counties.

M. H. Moses.....Box 245, Fyffe

Thirtieth Senatorial District—Dallas County.

Walter C. Givhan.....Safford

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirty-first Senatorial District—Colbert, Franklin and Marion Counties.

Berry Lynchmore Cantrell.....300 West First St.,
Tuscumbia

Thirty-second Senatorial District—Greene and Hale Counties.

James S. Coleman, Jr.....Eutaw

Thirty-third Senatorial District—Mobile County.

Garet Van Antwerp, III.....37 Oriole Drive, Spring Hill

Thirty-fourth Senatorial District—Clay, Cleburne and Coosa Counties.

Staten Tate.....Box 37, Goodwater

Thirty-fifth Senatorial District—Henry and Houston Counties.

Richmond M. Flowers.....Penny Building, Dothan

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF
ALABAMA**

Regular Session 1955

OFFICERS

Rankin Fite, *Speaker*Hamilton

George C. Hawkins, *Speaker Pro Tem*.....Gadsden

R. T. Goodwyn, Jr., *Clerk*.....Montgomery

Oakley W. Melton, Jr., *Assistant Clerk*.....Montgomery

Richard C. Belser, *Reading Clerk*.....Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby.....Prattville

Baldwin—L. W. Brannan, Jr.....Foley

Barbour—Place No. 1—Sim A. Thomas.....Eufaula

Place No. 2—McDowell Lee.....Clio

Bibb—Virgis M. Ashworth.....Centreville

Blount—Lowell Gregory.....Oneonta

Bullock—Place No. 1—M. B. McLendon.....Union Springs

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF
ALABAMA—Continued**

Place No. 2—J. A. Crook.....	Union Springs
Butler—Place No. 1—A. L. Killough.....	Honoraville
Place No. 2—H. B. Taylor.....	P. O. Box 278, Georgiana
Calhoun—Place No. 1 — Woodrow Albea.....	Anniston National Bank Bldg., Anniston
Place No. 2—Hugh D. Merrill, Jr.....	701 Fairway, Anniston
Chambers—Place No. 1—Roy W. McClendon.....	Shawmut
Place No. 2—Robert R. Hunt.....	Box 207, Fairfax
Cherokee—J. B. Burkhalter.....	Centre
Chilton—Francis W. Speaks.....	P. O. Box 535, Clanton
Choctaw—Robert Locke.....	Butler
Clarke—Place No. 1—Marion Bradford.....	Dickinson
Place No. 2—Emory McNider.....	Coffeetown
Clay—Charles (Pete) Mathews.....	Ashland
Cleburne—J. H. Pirkle.....	Heflin
Coffee—Jackson W. Stokes.....	Elba
Colbert—Harry J. (Jack) Huddleston.....	Box 178, Sheffield
Conecuh—Robert G. Kendall, Jr.....	Evergreen
Coosa—Charles R. Franklin.....	Goodwater
Covington—Clyde M. Love.....	Box 481, Florala
Crenshaw—V. S. Summerlin.....	Luverne
Cullman—Bryce C. Davis.....	Box 499, Cullman
Dale—Henry B. Steagall, II.....	Box 226, Ozark
Dallas—Place No. 1—William P. Molette.....	Orrville
Place No. 2—Frank Hardy.....	Route 6, Selma
Place No. 3—B. V. Hain.....	Box 155, Selma
DeKalb—F. L. (Hello) Ferrell.....	Mentone
Elmore—Place No. 1—Carol Jack Law.....	Box 1, Wetumpka
Place No. 2—Hardaway Johnson.....	Eclectic
Escambia—Malcolm Edwards.....	E. Brewton
Etowah—Place No. 1—George C. Hawkins.....	752 Forrest Ave., Gadsden

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 2—E. K. Hanby.....	223 Ridgeway Ave., Gadsden
Fayette—James A. Branyon, II.....	Fayette
Franklin—W. E. Oden.....	Russellville
Geneva—Roland R. Faulk.....	Samson
Greene—W. L. Martin, Jr.....	Eutaw
Hale—Place No. 1—Reginald Richardson.....	Greensboro
Place No. 2—Charles H. Ramey.....	Akron
Henry—Place No. 1—Emory R. (Em) Solomon.....	Headland
Place No. 2—G. B. Mathison, Sr.....	Abbeville
Houston—R. J. (Bob) Stembridge.....	321 E. Main Street, Dothan
Jackson—Place No. 1—Leroy D. Gist.....	Hollywood
Place No. 2—Joe Money.....	Route 3, Scottsboro
Jefferson—J. K. (Jess) Edwards.....	Brighton
Hugh Kaul.....	1605 1st National Bldg., Birmingham
Rufus M. Lackey.....	712 1st National Bldg., Birmingham
J. Paul Meeks.....	424 Brown Marx Bldg., Birmingham
Charles Nice, Jr.....	210 Frank Nelson Bldg., Birmingham
Walter Emmett Perry, Jr.....	730 Frank Nelson Bldg., Birmingham
Paschal P. (Pat) Vacca.....	710 Frank Nelson Bldg., Birmingham
Lamar—Jesse Brown.....	Box 305, Vernon
Lauderdale—Place No. 1—Robert H. Broadfoot.....	302 West Alabama, Florence
Place No. 2—E. B. Haltom, Jr.....	Box 532, Florence
Lawrence—W. J. Lee, Jr.....	Town Creek
Lee—Place No. 1—Roberts H. Brown.....	Box 48, Opelika
Place No. 2—D. W. Ward.....	Box 689, Opelika
Limestone—James M. Dement.....	Route 1, Athens
Lowndes—Place No. 1—Robert S. Dickson, Jr.....	Lowndesboro
Place No. 2—A. J. Brooks.....	Ft. Deposit
Macon—J. J. Rodgers.....	P. O. Box 538, Tuskegee
Madison—Place No. 1—N. L. (Luke) Reynolds.....	1413 California Street, Huntsville

ROSTER OF THE HOUSE OF REPRESENTATIVES OF

ALABAMA—Continued

Place No. 2—Roscoe Roberts, Jr.	4 West Side Square, Huntsville
Marengo—Place No. 1—Jack B. Kirkham	RFD, Myrtlewood
Place No. 2—Cephus R. Holliman	Linden
Marion—Rankin Fite	Box 157, Hamilton
Marshall—Garnett Cox	1468 Rayburn Ave., Guntersville
Mobile—Place No. 1—Michael Thomas Murphy	612 First National Bank Bldg., Mobile
Place No. 2—John M. Tyson	1600 Government St., Mobile
Place No. 3—Otto E. Simon	608 Van Antwerp Bldg., Mobile
Monroe—N. S. (Nick) Hare	Monroeville
Montgomery—Place No. 1—Joe M. Dawkins	800 Commerce Bldg., Montgomery
Place No. 2—O. J. (Joe) Goodwyn	4169 Goode St., Montgomery
Place No. 3—H. James Hall	Route 4, Montgomery
Place No. 4—Wilbur B. Nolen, Jr.	Box 1525, Montgomery
Morgan—Place No. 1—Albert P. Brewer	Box 1487, Decatur
Place No. 2—Bob Gilchrist	Bethel Road, Hartselle
Perry—Place No. 1—Judson C. Locke, Sr.	Marion
Place No. 2—W. L. DeSear	Uniontown
Pickens—Ralph Windle	Carrollton
Pike—Place No. 1—L. Gardner Bassett	206 Orange St., Troy
Place No. 2—A. L. (Pat) Boyd	Box 454, Troy
Randolph—J. M. (Jimmie) Jenkins	Box 384, Roanoke
Russell—Place No. 1—Homer W. Cornett	Box 88, Phenix City
Place No. 2—J. W. Brassell	Phenix City
St. Clair—George W. Hodges, Jr.	Box 295, Ashville
Shelby—Karl C. Harrison	Columbiana
Sumter—Place No. 1—Jesse E. Harvey	Cuba
Place No. 2—Ira D. Pruitt	Livingston
Talladega—Place No. 1—L. N. Payne	Box 4, Talladega
Place No. 2—C. W. (Charlie) McKay, Jr.	Box 128, Sylacauga
Tallapoosa—Place No. 1—Charles Adams	Alexander City
Place No. 2—J. T. (Tom) Johnson	Rt. 1, Notasulga

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF
ALABAMA—Continued**

Tuscaloosa—Place No. 1—A. K. (Temo) Callahan.....	909 First Natl. Bank Bldg., Tuscaloosa
Place No. 2—Ryan deGraffenried.....	Tuscaloosa
Walker—Place No. 1—Alonzo Shumate.....	Box 63, Jasper
Place No. 2—T. K. Selman.....	Jasper
Washington—J. Emmett Wood.....	Millry
Wilcox—Place No. 1—Sam C. Nettles, Jr.....	Arlington
Place No. 2—Gregory Oakley.....	Pine Apple
Winston—J. H. (Jack) Kelly.....	Haleyville

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INDEX**ABSENTEE VOTING**

Act regulating amended. S. B. 374, page 1053.

ACTIONS

Action against employer involving dispute over payment of wages, joinder of all employees as plaintiffs in, authorized. H. B. 174, pages 288, 349, 408, 426.

Depositions of witnesses or parties upon oral examination for discovery of or use as evidence, taking of provided for. H. B. 1006, pages 1275, 1311, 1380, 1538, 1550.

Jury trial provided in proceedings to establish disputed boundaries between coterminous owners of land. H. B. 4, page 195.

Lien in favor of hospitals upon cause of action accruing to injured person to whom care and treatment is given. S. B. 15, page 6; S. B. 132, pages 198, 217, 284, 285, 1391, 1445, 1568.

Minor child, suits for injury causing death of, code section amended. S. B. 139, pages 205, 691.

Municipal fire department granted immunity from tort liability in certain cases. S. B. 227, pages 418, 500; H. B. 317, pages 1022, 1067, 1549, 1562.

Nuisances, definition, abatement by cities. S. B. 229, pages 418, 765; S. B. 154, pages 253, 297.

Recovery of benefits when more than one party is named as the assured in a contract of insurance. H. B. 57, pages 164, 391, 695.

Statements, claims, or demands for injury filed against municipalities, code section amended. S. B. 223, pages 417, 499.

Suits or actions in state courts, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. S. B. 145, page 217; H. B. 125, pages 413, 419, 1535, 1542.

Usurious interest paid, recovery of, code section amended. S. B. 326, pages 740, 1059.

Venue in actions on policies or certificates of insurance. H. B. 59, pages 157, 391, 553, 1450, 1478.

Wrongful act, omission, or negligence causing death, code section amended. S. B. 88, pages 101, 692; H. B. 67, pages 338, 692.

ACTS AMENDED, GENERAL ACTS

1939, Act No. 614, p. 981, General Acts of Alabama, 1939, limiting the amount of rentals which may be charged by housing authorities. H. B. 146, pages 289, 553, 1549, 1563.

1939, Act No. 650, p. 1023, General Acts of Alabama, 1939, providing for the distribution of the 1940 Code of Alabama. H. B. 879, page 1250.

1939, Act No. 669, p. 1064, General Acts of Alabama, 1939, known as the "Alabama motor carrier act of 1939", H. B. 688, pages 1275, 1316, 1538, 1551.

ACTS AMENDED, GENERAL ACTS—Continued

- 1945, Act No. 1, p. 1, General Acts of Alabama, 1945, regulating the drilling for and production of oil and gas. S. B. 138, page 204.
- 1945, Act No. 96, p. 92, General Acts of Alabama, 1945, regulating schools of nursing and the examination and registration of nurses. H. B. 123, pages 164, 354, 496, 898, 908.
- 1945, Act No. 159, p. 200, General Acts of Alabama, 1945, creating the bureau of loans and regulating the business of lending money. S. B. 271, page 540; S. B. 153, pages 240, 251, 768.
- 1945, Act No. 169, p. 285, General Acts of Alabama, 1945, levying the forest products severance tax. S. B. 306, pages 688, 899, 1369, 1407, 1567; S. B. 307, pages 689, 741, 898, 1482, 1533, 1568.
- 1945, Act No. 173, p. 304, General Acts of Alabama 1945, establishing the state department of veterans' affairs. S. B. 330, page 750.
- 1945, Act No. 248, p. 376, General Acts of Alabama, 1945, establishing a civil service system in counties 400,000 or more population. H. B. 964, pages 1107, 1190, 1298, 1299, 1440.
- 1945, Act No. 292, p. 482, General Acts of Alabama, 1945, examination, licensing and regulation of licensed practical nurses. H. B. 122, pages 164, 354, 496, 898, 907.
- 1945, Act No. 412, p. 647, General Acts of Alabama, 1945, providing for the adoption, selection, purchase and distribution of textbooks, to be used in the tax-supported schools of the state. S. B. 39, pages 21, 640.
- 1945, Act No. 515, p. 734, General Acts of Alabama, 1945, establishing the employees' retirement system. H. B. 424, pages 469, 637, 1544, 1545, 1552, 1554; H. B. 435, pages 448, 496, 894, 908.
- 1947, Act No. 228, p. 92, General Acts of Alabama, 1947, providing for the appointment and compensation of supernumerary judges. S. B. 105, pages 124, 420, 648, 991, 1019, 1566.
- 1947, Act No. 314, p. 179, General Acts of Alabama, 1947, regulating the handling, sale and distribution of barbituates. H. B. 506, pages 1145, 1263.
- 1947, Act No. 689, p. 524, General Acts of Alabama, 1947, creating the second injury trust fund in connection with workmen's compensation. H. B. 576, pages 845, 856, 1469, 1491; S. B. 208, pages 400, 694.
- 1949, Act No. 46, p. 68, Acts of Alabama, 1949, authorizing the incorporation in any county of a public corporation for hospital purposes. H. B. 485, pages 446, 501, 609, 625.
- 1949, Act No. 323, p. 469, Acts of Alabama, 1949, providing for a refund of a portion of the tax paid on gasoline consumed in farm tractors. S. B. 321, page 691.
- 1949, Act No. 338, p. 503, Acts of Alabama, 1949, providing for and regulating the assignment of accounts receivable and the notice thereof. H. B. 10, pages 338, 692, 1560, 1569.
- 1949, Act No. 424, p. 601, Acts of Alabama, 1949, regulating absentee voting at elections. S. B. 374, page 1053.
- 1949, Act No. 529, p. 827, Acts of Alabama, 1949, creating a plumbers examining board in counties 140,000 or more population. H. B. 730, pages 627, 663, 1369, 1370, 1371, 1411, 1442.

ACTS AMENDED, GENERAL ACTS—Continued

- 1950, Act No. 48, p. 102, Acts of Alabama, 1951, providing old-age and survivors insurance for certain officers and employees of the state and local governments. S. B. 112, pages 134, 153, 202, 413, 416, 479, 480, 510, 516, 735, 735.
- 1951, Act No. 4, p. 167, Acts of Alabama, 1951, fixing the compensation of certain state officers. H. B. 816, pages 1181, 1203, 1556, 1557, 1558, 1565, 1570; S. B. 308, pages 689, 858.
- 1951, Act No. 175, p. 416, Acts of Alabama, 1951, authorizing the incorporation of a public corporation for the purpose of owning and operating a municipal water, sewer, gas and electric system. S. B. 236, pages 453, 500.
- 1951, Act No. 187, p. 438, Acts of Alabama, 1951, creating a firemen's and policemen's pension and relief fund for cities 45,000 to 54,000 population. H. B. 701, pages 581, 640, 711, 746.
- 1951, Act No. 311, p. 606, Acts of Alabama, 1951, providing for the compensation of and assistants to the sheriff in counties 96,000 to 140,000 population. S. B. 174, pages 297, 316, 365, 424, 453, 735.
- 1951, Act No. 662, p. 1132, Acts of Alabama, 1951, levying a beer tax in counties 400,000 or more population. H. B. 937, pages 1000, 1063, 1290, 1291, 1439.
- 1951, Act No. 682, p. 1172, Acts of Alabama, 1951, providing for the incorporation of county public building authorities. H. B. 556, pages 1263, 1311; S. B. 369, page 1049.
- 1951, Act No. 691, p. 1192, Acts of Alabama, 1951, fixing the compensation of court reporters. S. B. 358, pages 853, 946; H. B. 959, pages 1072, 1189, 1298, 1440.
- 1951, Act No. 703, p. 1211, Acts of Alabama, 1951, creating state and county boards and departments of public welfare. S. B. 51, pages 24, 298, 341; S. B. 142, pages 215, 423; S. B. 277, pages 579, 769, 1269.
- 1951, Act No. 712, p. 1250, Acts of Alabama, 1951, creating the state bureau of publicity and information. S. B. 333, pages 759, 820.
- 1951, Act No. 775, p. 1359, Acts of Alabama, 1951, providing for the creation of board of water and sewer commissioners for any city for the purpose of owning and operating a water or sewer system. S. B. 240, pages 454, 500.
- 1951, Act No. 886, p. 1527, Acts of Alabama, 1951 amending the act which abolished bills of exception. S. B. 278, pages 579, 765.
- 1951, Act No. 929, p. 1579, Acts of Alabama, 1951, creating an employees retirement and relief system in cities 250,000 or more population. H. B. 962, pages 1107, 1189, 1298, 1440; H. B. 600, pages 535, 557, 616, 625.
- 1953, Act No. 63, p. 94, Acts of Alabama, 1953, providing old-age assistance for certain teachers. H. B. 889, page 1000.
- 1953, Act No. 279, p. 344, Acts of Alabama, 1953, regulating the payment of witness certificates in counties 73,000 to 93,000 population. H. B. 342, pages 260, 743, 1280, 1422.
- 1953, Act No. 585, p. 828, Acts of Alabama, 1953, creating the department of public safety. S. B. 50, pages 23, 76, 109, 163, 214.

ACTS AMENDED, GENERAL ACTS—Continued

- 1953, Act No. 587, p. 832, Acts of Alabama, 1953, dividing the state into judicial circuits. H. B. 16, pages 196, 298, 341, 355.
- 1953, Act No. 689, p. 941, Acts of Alabama, 1953, authorizing the state highway department to construct and maintain roads on the agricultural center. H. B. 336, pages 805, 866, 1534, 1541.
- 1953, Act No. 859, p. 1148, Acts of Alabama, 1953, validating the issuance of bonds by certain public corporation and county and city boards of education prior to issuance. S. B. 258, page 491.
- 1955, Act No. 46, approved April 6, 1955, regulating the sale of eggs. S. B. 336, pages 1045, 1186, 1264, 1454, 1474, 1568; S. B. 318, page 691.
- 1955, Act No. 52, approved April 8, 1955, providing for the appointment and compensation of the court reporter of judicial circuits composed of one county and having not less than four nor more than nine judges. H. B. 698, pages 580, 639, 709, 746.
- 1955, Act No. 57, approved April 8, 1955, providing for the impaneling of juries and alternate jurors in circuit courts in counties 400,000 or more population. H. B. 257, pages 174, 219, 280, 295, 712, 713.

ACTS AMENDED, LOCAL ACTS

- Autauga County, Act No. 445, p. 303, Local Acts of Alabama, 1947, establishing the court of common pleas. H. B. 763, pages 772, 821, 876, 906.
- Blount County, Act No. 345, p. 237, Local Acts of Alabama, 1923, providing for the election, duties and compensation of the superintendent of education. H. B. 658, pages 586, 639, 711, 745.
- Butler County, Act No. 219, p. 311, Acts of Alabama, 1949, providing for the election, compensation and duties of the members of the county board of education. H. B. 463, pages 376, 390, 465, 486.
- Calhoun County, Act No. 607, p. 1043, Acts of Alabama, 1951, regulating the operation of the office of the sheriff. H. B. 990, pages 1152, 1205, 1422.
- Cherokee County, Act No. 162, p. 78, Local Acts of Alabama, 1943, placing the probate judge, tax assessor, tax collector, circuit clerk, sheriff, register and deputy solicitor on a salary and providing office space, supplies and clerical assistance. H. B. 421, pages 326, 351, 460, 477.
- Chilton County, Act No. 872, p. 1505, Acts of Alabama, 1951, creating the board of revenue and control. H. B. 1009, pages 1223, 1314, 1422.
- Clarke County, Act No. 34, p. 13, Local Acts of Alabama, 1932, providing for the election, term, duties and compensation of the superintendent of education. H. B. 896, pages 939, 1061, 1285, 1437.
- Cullman County, Act No. 18, approved February 17, 1955, creating the office of superintendent of county schools and the commission on education. H. B. 18, pages 42, 77, 108, 117.
- Dallas County, Act No. 436, p. 554, Local Acts of Alabama, 1907, creating the Selma water works commission. H. B. 20, pages 43, 77, 108, 117.

ACTS AMENDED, LOCAL ACTS—Continued

- Dallas County, Act No. 208, p. 110, Local Acts of Alabama, 1943, authorizing the expenditure of county funds for purposes not otherwise provided by law. S. B. 198, pages 388, 422, 466, 517, 537, 735.
- DeKalb County, Act No. 715, p. 1252, Acts of Alabama, 1951, providing for the appointment and compensation of an additional deputy to the sheriff. H. B. 357, pages 266, 299, 357, 370.
- Houston County, Act No. 11, p. 8, Local Acts of Alabama, 1945, regulating the office of the sheriff. H. B. 1011, pages 1221, 1314, 1416, 1471; S. B. 372, pages 1051, 1187, 1265, 1455, 1474, 1568.
- Jackson County, Act No. 65, p. 126, Acts of Alabama, 1951, creating a board of revenue. H. B. 845, pages 933, 1066, 1372, 1430.
- Lauderdale County, Act No. 39, approved February 18, 1955, re-establishing the court of county commissioners. H. B. 49, pages 48, 77, 109, 117.
- Lawrence County, Act No. 147, p. 86, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy clerk to the circuit clerk. H. B. 906, pages 949, 1066, 1371, 1430.
- Lee County, Act No. 301, p. 596, Acts of Alabama, 1951, authorizing the circuit clerk to employ clerical assistance. H. B. 182, pages 156, 200, 229, 232.
- Limestone County, Act No. 95, p. 67, Local Acts of Alabama, 1947, placing the tax assessor on a salary. H. B. 225, pages 182, 218, 276, 294.
- Limestone County, Act No. 120, p. 78, Local Acts of Alabama, 1947, placing the tax collector on a salary. H. B. 227, pages 184, 219, 277, 294.
- Limestone County, Act No. 200, p. 119, Local Acts of Alabama, 1947, consolidating certain county officers under the circuit clerk and providing for his election, term and compensation. H. B. 228, pages 185, 219, 277, 294.
- Limestone County, Act No. 201, page 120, Local Acts of Alabama, 1947, placing the probate judge on a salary. H. B. 226, pages 183, 219, 276, 294.
- Limestone County, Act No. 355, p. 423, Acts of Alabama, 1953, fixing the compensation of the sheriff and his deputies. H. B. 224, pages 181, 218, 275, 294.
- Marengo County, Act No. 183, p. 106, Local Acts of Alabama, 1935, providing for the qualifications and election of members of the board of education. H. B. 580, pages 506, 519, 611, 623.
- Marion County, Act No. 82, p. 18, Local Acts of Alabama, 1935, providing for the election, duties and compensation of the superintendent of education. H. B. 908, pages 951, 1062, 1287, 1438.
- Marion County, Act No. 307, p. 195, Local Acts of Alabama, 1939, authorizing the sheriff to appoint an additional deputy. H. B. 909, pages 952, 1062, 1287, 1438.
- Marion County, Act No. 198, p. 263, Acts of Alabama, 1953, creating the office of county engineer. H. B. 907, pages 950, 1062, 1287, 1438.

ACTS AMENDED, LOCAL ACTS—Continued

- Marion County, Act No. 58, approved April 13, 1955, levying a privilege license tax on electric and hydro-electric public utilities. H. B. 632, pages 521, 558, 617, 624; H. B. 340, pages, 260, 283, 284.
- Marshall County, Act No. 51, p. 61, Acts of Alabama, 1953, establishing the county court. H. B. 979, pages 1083, 1191, 1373, 1431.
- Mobile County, Act No. 470, p. 298, Local Acts of Alabama, 1939, creating the county-wide civil service system. H. B. 606, pages 508, 519, 603, 623.
- Mobile County, Act No. 637, p. 1092, Acts of Alabama, 1951, providing for the appointment and compensation of a chief clerk in the office of the tax assessor. H. B. 901, pages 916, 1061, 1286, 1438.
- Mobile County, Act No. 286, p. 352, Acts of Alabama, 1953, providing for the appointment, duties and compensation of the clerk of the inferior criminal court. H. B. 271, pages 374, 389, 463, 486.
- Morgan County, Act No. 361, p. 248, Local Acts of Alabama, 1939, providing for the compensation, clerical assistance, and office supplies and equipment for the tax assessor. H. B. 1013, pages 1214, 1314, 1416, 1489.
- Morgan County, Act No. 464, p. 278, Local Acts of Alabama, 1939, providing for the compensation, clerical assistance, and office supplies and equipment for the tax collector. H. B. 1014, pages 1234, 1315, 1417, 1489.
- Morgan County, Act No. 70, p. 34, Local Acts of Alabama, 1943, providing for the compensation, clerical assistance and office supplies and equipment for the judge of probate. H. B. 1015, pages 1212, 1315, 1417, 1489.
- Morgan County, Act No. 64, p. 45, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy clerk for the circuit court and county court. H. B. 1021, pages 1238, 1315, 1419, 1490.
- Morgan County, Act No. 66, p. 46, Local Acts of Alabama; 1947, amending the act establishing the county court. H. B. 1023, pages 1240, 1316, 1420, 1490.
- Morgan County, Act No. 263, p. 51, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy register for the circuit court. H. B. 1016, pages 1233, 1315, 1417, 1489.
- Morgan County, Act No. 436, p. 789, Acts of Alabama, 1951, fixing the compensation of the superintendent of education. H. B. 1017, pages 1232, 1315, 1418, 1489.
- Morgan County, Act No. 437, p. 789, Acts of Alabama, 1951, fixing the compensation of the chairman and members of the board of revenue and control. H. B. 1019, pages 1229, 1315, 1418, 1490.
- Morgan County, Act No. 424, p. 525, Acts of Alabama, 1953, authorizing the board of revenue and control to provide the sheriff with deputies and jailers. H. B. 1022, pages 1236, 1316, 1419, 1490.
- Pickens County, Act No. 141, p. 167, Acts of Alabama, 1949, providing for the election of members of the board of education. H. B. 233, pages 189, 224, 278, 294.

ACTS AMENDED, LOCAL ACTS—Continued

- Russell County, Act No. 16, p. 9, Local Acts of Alabama, 1943, providing for the appointment and compensation of deputies to the tax assessor and tax collector. H. B. 1004, pages 1161, 1206, 1380, 1434.
- Russell County, Act No. 74, p. 40, Local Acts of Alabama, 1943, providing for the appointment and compensation of the chief clerk to the probate judge. H. B. 1003, pages 1156, 1206, 1380, 1434.
- Russell County, Act No. 75, p. 41, Local Acts of Alabama, 1943, providing for the appointment and compensation of a deputy circuit clerk. H. B. 1002, pages 1155, 1206, 1379, 1434.
- Russell County, Act No. 78, p. 43, Local Acts of Alabama, 1943, providing for the appointment and compensation of a special or general deputy sheriff. H. B. 440, pages 333, 353, 462, 479.
- Russell County, Act No. 14, p. 14, Local Acts of Alabama, 1947, providing for the appointment and compensation of an additional deputy sheriff. H. B. 439, pages 330, 353, 462, 478.
- Russell County, Act No. 47, p. 59, Acts of Alabama, 1953, providing for the appointment and compensation of an additional deputy sheriff. H. B. 438, pages 331, 353, 462, 478.
- St. Clair County, Act No. 109, p. 59, Local Acts of Alabama, 1936-37, providing for the election and compensation of the superintendent of education. H. B. 132, pages 86, 199, 229, 232.
- Sumter County, Act No. 261, p. 187, Local Acts of Alabama, 1947, creating the board of commissioners. H. B. 919, pages 969, 1062, 1288, 1439.
- Talladega County, Act No. 461, p. 323, Local Acts of Alabama, 1947, placing the register of the circuit court on a salary and providing office space and clerical assistance. H. B. 279, pages 172, 220, 278, 295.
- Talladega County, Act No. 86, p. 130, Acts of Alabama, 1953, which amended the act placing the sheriff on a salary. S. B. 191, pages 347, 422, 707, 799, 802, 1566.
- Tuscaloosa County, Act No. 416, p. 243, Local Acts of Alabama, 1935, authorizing the board of revenue to levy a gasoline tax. H. B. 761, pages 718, 743, 873, 905.
- Wilcox County, Act No. 436, p. 261, Local Acts of Alabama, 1939, providing for the duties, power, authority and compensation of members of the court of county commissioners. H. B. 653, pages 590, 638, 682, 703.
- Winston County, Act No. 138, p. 69, Local Acts of Alabama, 1927, authorizing the sheriff to appoint an additional deputy. H. B. 143, pages 88, 1204, 1422.

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- Joint resolution relative to the printing and binding of the acts and journals of the first three 1955 special sessions with the acts and journals of the 1955 regular session. H. J. R. 92, pages 1487, 1540.

ACTS REPEALED, GENERAL ACTS

- 1943, Act No. 100, p. 105, General Acts of Alabama, 1943, requiring division of examiners of public accounts to audit the records of a city board of education upon request. S. B. 19, page 7.
- 1943, Act No. 183, p. 163, Acts of Alabama, 1943, creating the state planning board. S. B. 17, page 6; H. B. 41, pages 402, 696, 1124, 1125, 1128, 1181, 1182, 1254, 1255, 1258, 1259, 1429.
- 1945, Act No. 194, p. 318, General Acts of Alabama, 1945, requiring the division of examiners of public accounts to audit records and accounts of all county offices. S. B. 19, page 7.
- 1947, Act No. 351, p. 231, General Acts of Alabama, 1947, creating the department of examiners of public accounts and the legislative committee on public accounts. S. B. 19, page 7.
- 1950, Act No. 62, p. 124, Acts of Alabama, 1951, providing legal counsel for the chief examiner and the department of examiners of public accounts. S. B. 19, page 7.
- 1951, Act No. 189, p. 450, Acts of Alabama, 1951, creating the Alabama state docks board. H. B. 230, pages 246, 300, 365, 366, 368, 369, 386; S. B. 78, page 100.
- 1951, Act No. 353, p. 640, Acts of Alabama, 1951, providing additional duties and compensation for the chief examiner of public accounts. S. B. 19, page 7.
- 1951, Act No. 705, p. 1245, Acts of Alabama, 1951, providing for the manner in which state-owned textbooks shall be purchased. S. B. 43, page 22.
- 1951, Act No. 917, p. 1568, Acts of Alabama, 1951, amending the act providing legal counsel for the chief examiner and the department of examiners of public accounts. S. B. 19, page 7.
- 1953, Act No. 430, p. 535, Acts of Alabama, 1953, known as the "right to work act". S. B. 194, pages 349, 769.
- 1953, Act No. 777, p. 1048, Acts of Alabama, 1953, requiring relatives to support persons committed to state mental institutions. S. B. 109, page 125.
- 1953, Act No. 778, p. 1051, Acts of Alabama, 1953, requiring relatives to support persons committed to state mental institutions. S. B. 126, page 151.
- 1953, Act No. 791, p. 1085, Acts of Alabama, 1953, providing for the appointment and compensation of an assistant chief examiner of public accounts. S. B. 19, page 7.
- 1953, Act No. 884, p. 1189, Acts of Alabama, 1953, authorizing cities 6,000 or more population to finance and construct certain public improvements outside the corporate limits and within the police jurisdiction of such cities. S. B. 241, pages 454, 498, 1121, 1122, 1223, 1383, 1446, 1569.
- 1955, Act No. 46, approved April 6, 1955, regulating the sale of eggs. S. B. 318, page 691.

ACTS REPEALED, LOCAL ACTS

- Blount County, Act No. 447, p. 799, Acts of Alabama, 1951, regulating the nomination and election of members of the board of education. H. B. 657, pages 587, 639, 744, 753.

ACTS REPEALED, LOCAL ACTS—Continued

Chambers County, Act No. 30, p. 24, Local Acts of Alabama, 1947, authorizing the circuit clerk to appoint a clerk. H. B. 1008, pages 1227, 1313, 1415, 1473; S. B. 368, pages 1047, 1187.

Colbert County, Act No. 227, p. 293, Acts of Alabama, 1953, creating the office of commissioner of public schools. H. B. 511, pages 439, 557, 615, 620, 621; H. B. 904, page 980.

Colbert County, Act No. 72, approved April 13, 1955, abolishing the office of commissioner of public schools. H. B. 511, pages 439, 557, 615, 620, 621.

Escambia County, Act No. 349, p. 415, Acts of Alabama, 1953, providing an expense allowance to the members of the board of revenue. H. B. 873, page 929.

Lawrence County, Act No. 18, p. 220, Acts of Alabama, 1951, creating a board of revenue. H. B. 262, pages 169, 593, 711, 712, 744, 752.

Marshall County, Act No. 408, p. 508, Acts of Alabama, 1953, transferring criminal jurisdiction from justices of the peace to the county court. H. B. 979, pages 1083, 1191, 1373, 1431.

Mobile County, Act No. 241, p. 139, Local Acts of Alabama, 1935, regulating the payment of the salary of the tax collector. H. B. 634, pages 520, 558, 618, 625.

Mobile County, Act No. 242, p. 141, Local Acts of Alabama, 1935, regulating the payment of the salary of the tax assessor. H. B. 634, pages 520, 558, 618, 625.

Pike County, Act No. 343, p. 138, Local Acts of Alabama, 1919, regulating the fine and forfeiture fund. H. B. 491, pages 392, 422, 467, 487.

Winston County, Act No. 203, p. 121, Local Acts of Alabama, 1947, authorizing the sheriff to appoint three additional deputies. H. B. 142, pages 87, 1203, 1422.

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Descent and distribution of estates of persons dying intestate, code section amended. S. B. 1, page 4.

Homestead exempt from administration and payment of debts, code sections amended. H. B. 427, pages 839, 855.

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Adopting parents, right of inheritance to property of adopted child, provided for. H. B. 672, pages 805, 855.

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Butler County, for school purposes, constitutional amendment. H. B. 745, pages 715, 767, 874, 904.

Chilton County, for school purposes, constitutional amendment. H. B. 991, pages 1153, 1205, 1377, 1412.

Constitutional amendment, additional levy for public school purposes. S. B. 35, pages 19, 421, 600, 1396, 1397, 1445, 1567.

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Exemptions from, code section amended. H. B. 477, page 446.

Lee County, cities of Auburn and Opelika, for school purposes, constitutional amendment. H. B. 783, pages 776, 822, 879, 881, 889, 907.

Lee County, for school purposes, constitutional amendment. H. B. 754, pages 715, 767, 874, 904.

Limestone County, additional, constitutional amendment. H. B. 785, pages 775, 822, 878, 907.

Montgomery County, for school purposes, constitutional amendment. S. B. 71, pages 75, 103, 131, 196, 208, 734; H. B. 181, pages 155, 199, 229.

Non-producing interests upon oil, gas and other minerals, created, transferred, or registered, exempt from. H. B. 192, pages 1275, 1312.

Non-producing severed mineral and royalty interests, created, transferred, or registered, exempt from. H. B. 192, pages 1275, 1312.

Real property, program for equal assessment of urged, joint resolution. S. J. R. 12, pages 159, 251, 254, 255.

Russell County, for school purposes, constitutional amendment. H. B. 636, pages 534, 558, 618, 625.

Sewers, special tax for construction, acquisition of, counties levying may issue general obligation bonds or certificates of indebtedness. H. B. 725, pages 667, 697, 868, 906.

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Winston County, for school purposes and for public hospital and health services, constitutional amendment. H. B. 830, pages 798, 946, 1281, 1422.

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Agricultural products, Congress memorialized to enact legislation guaranteeing price supports. S. J. R. 3, pages 26, 28, 31, 734.

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Eggs, sale of, act regulating amended. S. B. 336, pages 760, 823, 1185, 1483, 1484, 1533, 1568.

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Farming or trucking co-operatives or associations, permit fee required of, code section amended. S. B. 220, pages 417, 496.

Fees collected for grading and inspection of agricultural products, code section amended. S. B. 172, pages 297, 423.

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Poultry, live, brought into state, inspection of provided for. S. B. 96, pages 96, 120.

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Milk transported into Alabama from other states, duties of with respect to. H. B. 377, pages 397, 665, 668, 748, 750, 770, 824, 868, 1305, 1307, 1308, 1309, 1359, 1441; S. B. 146, page 217.

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BOARD OF EDUCATION, CITY

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Motor vehicles, driving upon school grounds at place other than driveway or parking place without consent of. H. B. 37, pages 248, 766.

Placement or assignment of pupils to schools. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.

School bus drivers, additional compensation. S. B. 66, pages 74, 767.

School bus drivers, physical examinations. S. B. 67, page 74.

School buses, hours operated and number of routes traveled, regulated. S. B. 68, page 74.

Separate schools for white and colored children, code section requiring maintenance of, repealed. S. B. 52, pages 24, 299, 358; H. B. 296, pages 720, 855, 1543, 1554.

Teachers, authorized to discharge without notice or hearing, code section amended. S. B. 276, page 578.

Teachers, retired, employment of provided for. H. B. 726, pages 838, 858, 1407, 1442.

BOARD OF EDUCATION, COUNTY

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Blount County, election, duties, compensation. H. B. 657, pages 587, 639, 744, 753.

Bonds, issuance of validated prior to issuance, act amended. S. B. 258, page 491.

Butler County, election, act amended. H. B. 463, pages 376, 390, 465, 486.

BOARD OF EDUCATION, COUNTY—Continued

Counties 19,000 to 20,000 population, authorized to fix compensation of superintendent of education. H. B. 114, pages 86, 103, 132, 143.

Counties 22,750 to 23,500 population, cancellation of contracts with teachers by unanimous vote, authorized. H. B. 989, pages 1152, 1313, 1414, 1473.

Counties 22,750 to 23,500 population, required to cancel contract with teacher who advocates integration of the races in public schools. H. B. 989, pages 1152, 1313, 1414, 1473.

Counties 63,750 to 72,750 population, authorized to provide clerical assistance for high school principals. H. B. 333, page 224.

Counties 93,000 to 134,000 population, meetings of, regulated. H. B. 934, pages 995, 1063, 1290, 1439.

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Geneva County, created. S. B. 376. Pages 1054, 1188, 1264.

Handicapped children, authorized to provide education for. H. B. 300, pages 721, 823, 881, 882, 906.

Lamar County, meetings regulated. H. B. 976, pages 1073, 1191, 1304, 1424.

Lawrence County, issuance of bonds for school building purposes, authorized, constitutional amendment. S. B. 234, pages 453, 554, 613, 708, 737, 1565.

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Macon County, authorized to discharge any teacher without cause or hearing. S. B. 355, pages 852, 946, 1120, 1210, 1262, 1567, 1569.

Marengo County, qualifications and election, act amended. H. B. 580, pages 506, 519, 611, 623.

Motor vehicles, driving upon school grounds at place other than driveway or parking place without consent of, penalty for. H. B. 37, pages 248, 766.

Pickens County, duties, act amended. H. B. 233, pages 189, 224, 278, 294.

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School bus drivers, additional compensation. S. B. 66, pages 74, 767.

School bus drivers, physical examinations. S. B. 67, page 74.

School buses, hours operated and number of routes traveled, regulated. S. B. 68, page 74.

Teachers, authorized to discharge without notice or hearing, code section amended. S. B. 276, page 578.

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BOARD OF EDUCATION, CITY—Continued

- Wilcox County, attendance of children at school, regulated. H. B. 609, pages 505, 520, 612, 624.
- Winston County, heaters in school buses, required. H. B. 743, pages 630, 1207, 1381, 1433.
- Winston County, school bus drivers, minimum salary. H. B. 743, pages 630, 1207, 1381, 1433.
- Winston County, school bus drivers under twenty-five years of age, prohibited from employing. H. B. 743, pages 630, 1207, 1381, 1433.

BOARD OF EDUCATION, STATE

- Association of school board members recognized as an organization and representative agency of members of. S. B. 117, pages 135, 154, 227, 228, 1158, 1193, 1566.
- Attendance of pupils at school, authorized to adopt rules and regulations governing, code sections repealed. S. B. 52, pages 24, 299, 358; H. B. 296, pages 563, 594, 643, 644, 661.
- Draper prison, joint resolution requesting the location of a trade school at. H. J. R. 70, pages 1101, 1102, 1182.
- Handicapped children, authorized to establish rules and regulations governing education of. H. B. 300, pages 721, 823, 881, 882, 906.
- Montgomery, city of, joint resolution requesting the location of a vocational trade school in. H. J. R. 76, pages 1260, 1274.
- Russell County, joint resolution requesting the location of a vocational trade school in. H. J. R. 80, pages 1366, 1430.
- Teachers, retired, employment of provided for. H. B. 726, pages 838, 858, 1407, 1442.
- Vocational trade schools, required to construct and maintain in Covington and Cullman Counties. S. B. 134, page 199.

BOARD OF EQUALIZATION, COUNTY

- Appointment and terms of members, code section amended. S. B. 270, page 540.
- Equalization of assessed property valuations among the counties, code section amended. S. B. 183, page 313.
- Terms of service and compensation of members, code section amended. S. B. 252, page 490.

BOARD OF FINANCE AND CONTROL

- Blount County, created. H. B. 954, pages 1102, 1188, 1296, 1297, 1318, 1361, 1366, 1367, 1423.

BOARD OF NURSES' EXAMINERS AND REGISTRATION

- Licensed practical nurses, examination and licensing of, act amended. H. B. 122, pages 164, 354, 496, 898, 907.
- Registered nurses, examination and licensing of, act amended. H. B. 123, pages 164, 354, 496, 898, 908.

BOARD OF PENSIONS AND SECURITY, COUNTY

Created in each county. H. B. 17, pages 503, 768, 1402, 1403, 1436; S. B. 47, pages 22, 423.

BOARD OF PENSIONS AND SECURITY, STATE

Created. H. B. 17, pages 503, 768, 1402, 1403, 1436; S. B. 47, pages 22, 423.

BOARD OF PLACEMENT

Created in each school attendance district. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.

BOARD OF REGISTRARS

Attorney general to provide copy of laws relating to registration and qualifications of electors. H. B. 261, pages 470, 867.

Calhoun County, reidentification of voters. S. B. 275, pages 552, 698, 869.

Circuit solicitors designated as representatives of the attorney general in regard to reidentification and registration of voters. S. B. 175, pages 312, 501.

Counties 47,000 to 52,000 population, reidentification of voters. S. B. 294, pages 662, 697, 869.

Counties 56,500 to 72,500 population, reidentification of voters. S. B. 315, pages 690, 742, 870, 1099, 1143, 1360, 1566.

Counties 63,750 to 72,850 population, reidentification of voters. H. B. 827, page 798.

Counties 75,000 to 130,000 population, reidentification of voters. S. B. 275, pages 552, 698, 869.

DeKalb County, reidentification of voters. H. B. 992, pages 1244, 1313, 1414, 1473.

Elmore County, reidentification of voters. H. B. 411, pages 304, 497, 607, 621.

Etowah County, reidentification of voters. S. B. 275, pages 552, 698, 869.

Examination and appointment of members. S. B. 129, page 152.

Lauderdale County, reidentification of voters. H. B. 48, pages 44, 77, 108, 117.

Reidentification of voters. S. B. 130, pages 152, 353, 651, 652, 659, 670, 678.

Talladega County, defining persons presumed to be qualified electors. S. B. 36, pages 20, 33, 91, 155, 160, 734.

Tuscaloosa County, reidentification of voters. S. B. 275, pages 552, 698, 869.

BOARD OF REVENUE

Blount County, abolished. H. B. 954, pages 1102, 1188, 1296, 1297, 1318, 1361, 1366, 1367, 1423.

Clerks of, payment of compensation, regulated. H. B. 113, pages 164, 244, 323, 337.

BOARD OF REVENUE—Continued

Colbert County, to provide solicitor of the law and equity court with office space and telephone service. H. B. 905, pages 919, 1062, 1286, 1438.

Counties 24,500 to 25,725 population, expense allowance. H. B. 398, pages 303, 317, 405, 411.

Counties 29,500 to 30,500 population, compensation. H. B. 760, pages 718, 743, 873, 905.

DeKalb County, abolished. H. B. 894, pages 1093, 1188, 1296, 1358, 1441.

Escambia County, expense allowance, repealed. H. B. 873, page 929.

Etowah County, abolished. H. B. 876, pages 983, 1060, 1267, 1429; S. B. 367, pages 1047, 1187, 1268.

Etowah County, created. H. B. 876, pages 983, 1060, 1267, 1429; S. B. 367, pages 1047, 1187, 1268.

Jackson County, act creating amended. H. B. 845, pages 933, 1066, 1372, 1430.

Lauderdale County, act abolishing amended. H. B. 49, pages 48, 77, 109, 117.

Lawrence County, abolished. H. B. 262, pages 169, 593, 711, 712, 744, 752.

Limestone County, authorized to levy additional taxes for fire protection, constitutional amendment. H. B. 545, pages 429, 457, 604, 622.

Limestone County, authorized to provide fire protection. H. B. 548, pages 436, 457, 606, 622.

Limestone County, authorized to provide protection against forest fires. H. B. 544, pages 427, 457, 604, 622.

Limestone County, election. H. B. 549, pages 442, 458, 606, 623.

St. Clair County, created. H. B. 162, page 111.

Winston County, created. H. B. 237, pages 190, 243, 279, 295.

BOARD OF REVENUE AND CONTROL

Chilton County, act creating amended. H. B. 1009, pages 1223, 1314, 1422.

Marshall County, created. H. B. 756, pages 715, 743, 872, 905.

Morgan County, act authorizing to provide sheriff with deputies and jailers, amended. H. B. 1022, pages 1236, 1316, 1419, 1490.

Morgan County, compensation, act amended. H. B. 1019, pages 1229, 1315, 1418, 1490.

BOARD OF REVENUE AND ROAD COMMISSIONERS

Mobile County, all warrants required to be drawn and signed by chairman of. H. B. 859, pages 785, 865, 1011, 1044.

BONDS

Board of education, city, issuance by validated prior to issuance, act amended. S. B. 258, page 491.

- Board of education, county, issuance by validated prior to issuance, act amended. S. B. 258, page 491.
- Cities or counties, actions to validate prior to issuance, appeals to supreme court, code section amended. S. B. 259, page 492.
- Counties authorized to issue, for purpose of acquiring airports. H. B. 550, pages 470, 764, 1450, 1478.
- Issued by local governments or their agencies or instrumentalities, regulated. S. B. 166, page 296.
- Lawrence County, issuance authorized for school building purposes, constitutional amendment. S. B. 234, pages 453, 554, 613, 708, 737, 1565.
- Obligations for the payment of money, execution of by cities with reproductions of signatures, seals, etc., authorized. H. B. 259, pages 283, 298, 340, 355.
- Public corporations, certain ones issued by, validated prior to issuance, act amended. S. B. 258, page 491.
- School building purposes, issuance authorized. H. B. 728, pages 1014, 1057, 1385, 1387, 1388, 1389, 1396, 1435.
- School building purposes, issuance authorized for, constitutional amendment. H. B. 617, pages 701, 770, 867, 1270, 1272, 1273, 1318, 1358, 1441; S. B. 40, pages 21, 770; S. B. 232, pages 419, 770.
- State office buildings, issuance authorized for construction of. H. B. 33, pages 99, 350, 410, 483, 564, 565, 596, 597, 598, 599, 601, 678, 679, 705, 706, 707, 745.
- State park system, develop and improve, issuance authorized. H. B. 961, pages 1194, 1202; S. B. 325, pages 740, 766.
- Teachers' salaries and other educational purposes, issuance authorized for, constitutional amendment. H. B. 617, pages 701, 770, 867, 1270, 1272, 1273, 1318, 1358, 1441.
- Tuscaloosa County, issuance authorized for construction of court house and jail, constitutional amendment. H. B. 831, pages 781, 863, 1008, 1043.
- Water, sewer and gas systems, issuance of by cities for acquisition and extension of, code sections amended. S. B. 261, page 492.
- Water, sewer, gas, or electric systems, issuance of by cities for acquisition of extension of, code section amended. S. B. 262, page 493.

BOUNDARIES

- Alternate method of extending. S. B. 244, pages 456, 501.
- Barbour County, city of Eufaula, altered. S. B. 31, pages 11, 25, 36; H. B. 3, pages 36, 77, 107, 117.
- Blount County, city of Oneonta, altered. H. B. 242, pages 165, 219, 277, 295.
- Bullock County, city of Union Springs, altered. H. B. 351, pages 269, 299, 404, 411.
- Cherokee County, town of Centre, altered. H. B. 6, pages 37, 77, 107, 117.

BOUNDARIES—Continued

- Covington County, city of Andalusia, altered. H. B. 105, pages 85, 103, 132, 142.
- Cullman County, city of Cullman, altered. H. B. 957, pages 1091, 1189, 1298, 1424; S. B. 359, pages 854, 946, 1265, 1455, 1474, 1568.
- Dallas County, city of Selma, altered. H. B. 356, pages 264, 299, 356, 370.
- DeKalb County, town of Collinsville, altered. H. B. 250, pages 167, 219, 278, 295.
- Georgia-Alabama, joint resolution creating committee to work out a more equitable boundary line between. S. J. R. 26, pages 317, 340, 345, 735.
- Jefferson County, city of Birmingham, altered. H. B. 994, pages 1166, 1205, 1378, 1433; H. B. 993, pages 1164, 1205, 1377, 1433; H. B. 995, pages 1167, 1206, 1378, 1434.
- Jefferson County, City of Fairfield, altered. H. B. 968, pages 1112, 1190, 1300, 1425, 1479.
- Jefferson County, city of Mountain Brook, altered. H. B. 741, pages 909, 1060, 1281, 1222; H. B. 740, pages 632, 663, 725, 752.
- Jefferson County, town of Graysville, altered. H. B. 970, pages 1109, 1190, 1300, 1425.
- Jefferson County, town of Kimberly, altered. H. B. 1001, pages 1178, 1206, 1379, 1434.
- Jefferson County, town of Vestavia Hills, altered. H. B. 1024, pages 1211, 1316, 1420, 1472.
- Jury trial provided in proceeding to establish boundaries between coterminous owners of land. H. B. 4, page 195.
- Lauderdale County, city of Florence, altered. H. B. 428, pages 328, 352, 401, 477.
- Limestone County, city of Athens, altered. H. B. 927, pages 972, 1062, 1288, 1439; H. B. 929, pages 975, 1063, 1289, 1439; H. B. 930, pages 991, 1063, 1289, 1439; H. B. 928, pages 973, 1062, 1289, 1439.
- Madison County, city of Huntsville, altered. S. B. 332, pages 757, 821, 873, 1099, 1144, 1566.
- Marengo County, city of Demopolis, altered. S. B. 24, pages 8, 33, 91, 155, 160, 734.
- Mobile County, city of Mobile, altered. H. B. 900, pages 917, 1061, 1530, 1531, 1542, 1550.
- Monroe County, town of Monroeville, altered. H. B. 589, page 471.
- Montgomery County, city of Montgomery, altered. H. B. 874, pages 982, 1060, 1283, 1423; H. B. 999, pages 1153, 1206, 1379, 1434; H. B. 1000, pages 1154, 1206, 1379, 1434; S. B. 343, pages 807, 860, 1002, 1158, 1194, 1567; S. B. 363, pages 943, 1059, 1267, 1454, 1474, 1568; S. B. 364, pages 944, 1059, 1267, 1454, 1474, 1568.
- Morgan County, city of Decatur, altered. H. B. 755, pages 791, 862, 1005, 1041; S. B. 337, pages 760, 821, 875, 1159, 1193, 1567.
- Russell County, town of Hurtsboro, altered. S. B. 97, pages 120, 226, 258, 282, 734.

BOUNDARIES—Continued

St. Clair, Calhoun, Talladega and Shelby Counties, certain boundaries between relocated along center line of the Coosa River. S. B. 163, page 271.

St. Clair County, town of Ragland, altered. H. B. 1032, pages 1243, 1316, 1421, 1472.

Talladega County, city of Talladega altered. H. B. 559, pages 443, 497, 608, 623.

Tuscaloosa County, city of Tuscaloosa, altered. H. B. 795, pages 773, 822, 878, 907.

Walker County, city of Cordova, altered. H. B. 1025, pages 1242, 1316, 1420, 1472.

BREWER, EVELYN LOUISE

Jefferson County, relief of. H. B. 777, pages 777, 821, 878, 907.

BROWN, MARY JACKSON

Montgomery, city of, relief of. S. B. 100, pages 121, 139, 158, 226, 233, 734.

BROWN PRINTING COMPANY

Joint resolution extending thanks to. H. J. R. 95, pages 1486, 1540.

BRYCE HOSPITAL COMMITTEE

Report of same, authorized under H. J. R. 8 of First Special Session, 1955. Pages 1208, 1210.

BUILDING COMMISSION, STATE

Election of members by Senate to fill vacancies. Pages 27, 30, 65, 66, 67, 78.

BULLOCK COUNTY

Tax assessor, compensation. H. B. 704, pages 582, 640, 724, 752.

Tax assessor, regulating fees, commission and salary constitutional amendment. H. B. 703, pages 583, 640, 723, 752.

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Tax collector, regulating fees, commissions and salary, constitutional amendment. H. B. 703, pages 583, 640, 723, 752.

Union Springs, city of boundaries altered. H. B. 351, pages 269, 299, 404, 411.

BUREAU OF BANKING

Transferred to state banking department. H. B. 30, pages 161, 351, 574, 575, 576, 591, 592, 700, 701, 744.

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Act creating amended. S. B. 271, page 540; S. B. 153, pages 240, 251, 768.

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BUREAU OF PUBLICITY AND INFORMATION, STATE

Abolished. S. B. 181, pages 313, 555.

Act creating amended. S. B. 333, pages 759, 820.

BUREAU OF SAVINGS AND LOAN

Transferred to state banking department. H. B. 30, pages 161, 351, 574, 575, 576, 591, 592, 700, 701, 744.

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Board of education, election, act amended. H. B. 463, pages 376, 390, 465, 486.

Greenville, city of, election of governing body. H. B. 833, pages 788, 864, 1009, 1043.

Sheriff, additional deputy, authorized. H. B. 352, pages 262, 299, 404, 411.

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CAFETERIAS

Privilege license, code section amended. H. B. 820, pages 837, 858.

CAHABA HISTORICAL COMMISSION

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CALHOUN COUNTY

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Sheriff, supplies, materials and equipment for. H. B. 990, pages 1152, 1205, 1422.

Witness certificates, payment of regulated, act amended. H. B. 342, pages 260, 743, 1280, 1422.

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Marshall County, relief of. H. B. 469, pages 381, 390, 466, 487.

CANDIES

Marion County, election to authorize levy of privilege license or excise tax on. H. B. 629, pages 527, 557, 616, 624.

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Abolished. S. B. 70, page 74.

Execution of death sentence, method, time and place of, code sections amended. H. B. 173, pages 288, 420.

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Privilege license, code section amended. S. B. 149, page 239.

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Joint resolution mourning death of. H. J. R. 6, pages 26, 27, 34.

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Driver of vehicle which strikes required to give aid to, notify owner of. S. B. 371, pages 1050, 1207, 1385.

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Alabama livestock sanitary board, created. S. B. 302, pages 666, 698.

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Counties 94,000 to 134,000 population, regulated. H. B. 585, pages 805, 861, 1005, 1041.

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Created. S. B. 90, pages 102, 699.

CENSUS

Cities and towns, taking of, code section amended. S. B. 237, pages 454, 500.

CENTRE, TOWN OF

Boundaries altered. H. B. 6, pages 37, 77, 107, 117.

CERTIORARI, WRITS OF

Granting of, code section amended. H. B. 734, page 720.

CHAMBERS COUNTY

Circuit clerk authorized to appoint deputy clerk and register. H. B. 1008, pages 1227, 1313, 1415, 1473; S. B. 368, pages 1047, 1187.

Circuit clerk, clerical assistance, act repealed. H. B. 1008, pages 1227, 1313, 1415, 1473; S. B. 368, pages 1047, 1187.

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Marshall County, relief of. H. B. 468, pages 380, 390, 465, 486.

CHEROKEE COUNTY

Centre, town of, boundaries altered. H. B. 6, pages 37, 77, 107, 117.

Probate judge, tax assessor, tax collector, circuit clerk, sheriff, register and deputy solicitor, supplies, clerical assistance, act amended. H. B. 421, pages 326, 351, 460, 477.

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CHEWING GUM

Marion County, election to authorize levy of privilege license or excise tax on. H. B. 629, pages 527, 557, 616, 624.

CHILTON COUNTY

- Ad valorem tax for school purposes, constitutional amendment. H. B. 991, pages 1153, 1205, 1377, 1412.
- Board of revenue and control, act creating amended. H. B. 1009 pages 1223, 1314, 1422.
- County court, created. H. B. 955, pages 1075, 1189, 1297, 1423.
- County machinery and equipment, governing body authorized to use in clearing and grading building sites for new industries. H. B. 956, pages 1074, 1189, 1297, 1424.
- Deputy solicitor, office created. H. B. 1031, pages 1225, 1316, 1421, 1472.
- Fishing in public waters of, regulated. H. B. 810, page 909.
- Law and equity court, abolished. H. B. 955, pages 1075, 1189, 1297, 1423.

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- Corporations not of a business character, powers of, code section amended. S. B. 180, pages 313, 556, 895, 1367, 1406, 1567.
- Incorporation of certain ones, regulated. S. B. 360, pages 889, 1056.

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- Chambers County, clerk authorized, act repealed. S. B. 368, pages 1047, 1187; H. B. 1008, pages 1227, 1313, 1415, 1473.
- Chambers County, deputy clerk and register authorized. H. B. 1008, pages 1227, 1313, 1415, 1473; S. B. 368, pages 1047, 1187.
- Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pages 326, 351, 460, 477.
- Constitutional amendment abolishing fee system of compensating. S. B. 10, pages 5, 421.
- Constitutional amendment relative to abridgment of term of office. S. B. 30, pages 11, 125, 139, 140.
- Counties 63,750 to 72,750 population, authorized to issue warrants in criminal cases. H. B. 702, pages 581, 640, 723, 752.
- Counties 80,000 to 94,000 population, chief clerk and assistant chief clerk, authorized. H. B. 877, pages 947, 1204, 1374, 1375, 1431.
- Counties 500,000 or more population, salary. H. B. 938, pages 1000, 1063, 1291, 1440.
- Cullman County, fees and salary, constitutional amendment. H. B. 799, pages 777, 822, 1002, 1041; S. B. 300, pages 666, 766, 874, 1115, 1566.
- Elmore County, compensation, constitutional amendment. H. B. 24, pages 175, 496, 606, 620.
- Elmore County, placed on salary. H. B. 413, pages 397, 497, 607, 621.
- Lawrence County, deputy clerk authorized, act amended. H. B. 906, pages 949, 1066, 1371, 1430.
- Lee County, clerical assistance, act amended. H. B. 182, pages 156, 200, 229, 232.

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Limestone County, election, term, compensation, act amended. H. B. 228, pages 185, 219, 277, 294.

Mobile County, clerk of the criminal division of the circuit court, appointment, duties and compensation of chief assistant. H. B. 903, pages 915, 1061, 1286, 1438.

Official bond a lien on property of, code section amended. S. B. 72, pages 75, 125, 158, 247.

Official bond a lien on property of, code section repealed. S. B. 106, pages 124, 218, 247, 1367, 1406, 1567.

Pike County, deputy circuit clerk, authorized. S. B. 185, pages 315, 351, 451, 517, 537, 735.

Russell County, deputy circuit clerk authorized, act amended. H. B. 1002, pages 1155, 1206, 1379, 1434.

St. Clair County, clerk hire allowance. S. B. 249, pages 488, 519, 708, 737, 1566.

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CIRCUIT COURT

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Bailiffs, appointment and compensation, code section amended. H. B. 183, page 791.

Bills of exception, act abolishing amended. S. B. 278, pages 579, 765.

Bonds issued by certain public corporations, validation of before issuance, act amended. S. B. 258, page 491.

Bonds issued by city or county, actions for validation of prior to issuance, appeals to supreme court, code section amended. S. B. 259, page 492.

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Counties 200,000 to 400,000 population, bailiffs, appointment and compensation. H. B. 697, pages 584, 639, 710, 746.

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- Jury rolls, qualifications of persons on, code sections amended. H. B. 1, pages 128, 297, 336; S. B. 11, pages 5, 297, 336.
- Probation and suspension of execution of sentence, code section amended. H. B. 454, pages 448, 693, 1404, 1436.
- Suits or actions in, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. S. B. 145, page 217; H. B. 125, pages 413, 419, 1535, 1542.
- Supernumerary judges, election of Judges to become, act amended. S. B. 105, pages 124, 420, 648, 991, 1019, 1566.
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- Counties 400,000 or more population, service of by certified mail authorized. H. B. 883, pages 988, 1061, 1283, 1437.
- Service of by certified mail, authorized. H. B. 884, pages 1022, 1056.

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- Aldermen and mayor, election, code section amended. S. B. 221, pages 417, 499, 1120, 1389, 1406, 1567.
- Appeals from recorder's Court, code section amended. H. B. 443, pages 447, 765, 1537, 1550.
- Blind persons, products and services of, authorized to purchase. H. B. 304, pages 447, 561, 1532, 1541.
- Blind persons, stands to be operated by, in buildings and on properties of, authorized. H. B. 303, pages 447, 698, 1534, 1541.
- Bonds, action to validate prior to issuance, appeals to supreme court, code section amended. S. B. 259, page 492.
- Bonds of certain public corporations validated prior to issuance, act amended. S. B. 258, page 491.
- Bonds or other obligations for the payment of money by, execution of with engraved or otherwise reproduced facsimile of any signature, etc., authorized. H. B. 259, pages 282, 298, 340, 355.
- Bonds, warrant and other securities issued by, regulated. S. B. 166, page 296.
- Boundaries, alternative method of extending. S. B. 244, pages 456, 501.
- Census taken in, code section amended. S. B. 237, pages 454, 500.
- "Cities" or "towns", classifying incorporated municipalities as, code section amended. H. B. 552, pages 470, 501, 611, 623.
- Civil defense organizations, creation of, authorized. S. B. 65, pages 73, 127, 148, 205, 214, 734.

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- Constitutional amendment relative to abridgment of term of office of municipal officers. S. B. 30, pages 11, 125, 139, 140.
- County public building authority authorized to acquire, construct buildings for use of. H. B. 556, pages 1263, 1311; S. B. 369, page 1049.
- Definition of the word "city", code section amended. H. B. 64, pages 234, 244, 285, 300.
- Electric co-operatives, sale of to city, county, or certain public corporations, authorized. S. B. 260, page 492.
- Electric systems, powers with respect to the acquisition and financing of, code sections amended. S. B. 242, pages 455, 500, 892, 893, 1390, 1446, 1568.
- Employees' retirement system, participation in, code section amended. H. B. 435, pages 448, 496, 894, 908.
- Fire and marine insurance companies, authorized to levy privilege license tax on, code section amended. S. B. 320, page 691.
- Fire departments granted immunity from tort liability in certain cases. S. B. 227, pages 418, 500; H. B. 317, pages 1022, 1067, 1549, 1562.
- Gas districts, acts and proceedings to incorporate, validated in certain cases. H. B. 639, pages 1021, 1067, 1548, 1562; S. B. 256, pages 491, 559.
- Housing authorities, act limiting amount of rentals charged by, amended. H. B. 146, pages 289, 553, 1549, 1563.
- Housing authorities, property acquired through condemnation or right of eminent domain, power to dispose of limited. S. B. 312, page 689.
- Housing authorities, validating creation, obligations, and proceedings of. H. B. 147, pages 289, 553, 1551, 1563.
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- Mayor and aldermen, election and duties, code section amended. S. B. 221, pages 417, 499, 1120, 1389, 1406, 1567.
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- Medical clinics, incorporation of a board for the purpose of acquiring and operating, authorized. H. B. 584, pages 747, 866, 1464, 1479.
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- Ordinances of, publication and recording of, code section amended. S. B. 222, pages 417, 499.

- Planning commissions, composition of. H. B. 946, pages 998, 1067, 1294, 1428.
- Planning commissions, procedure regulated, code section amended. H. B. 936, pages 1000, 1063, 1290, 1439.
- Post offices, authorized to acquire and lease to federal government properties suitable for use as. S. B. 226, pages 418, 499, 893, 1390, 1445, 1568.
- Public corporation, incorporation of in municipality for purpose of acquiring, constructing and maintaining buildings for use by the municipality, authorized. S. B. 243, pages 455, 498, 891, 1383, 1446, 1568.
- Public corporation authorized to transfer water, sewer, gas and electric system to municipality. S. B. 263, pages 494, 560.
- Recorder in cities having commission form of government, election and compensation, code section amended. H. B. 324, pages 1020, 1067, 1549, 1562; S. B. 225, pages 418, 499.
- Slum areas, additional power and authority to eliminate or prevent the spread of. H. B. 145, pages 289, 553, 1551, 1563.
- Statements, claims, or demands for injury filed against city or town, code section amended. S. B. 223, pages 417, 499.
- Streets, sidewalks and curbs about to be improved, grade of, code section amended. S. B. 257, pages 491, 560.
- Voting machines, regulating use of, code section amended. H. B. 554, page 1160.
- Voting machines, use of authorized without submitting question to vote of electors. H. B. 554, page 1160.
- ~~Water and sewer commissioners~~, board of, appointment, act amended. S. B. 240, pages 454, 500.
- Water, gas, electric and sewer services, authorized to charge higher rates for services rendered beyond corporate limits. S. B. 239, page 454.
- Water, sewer and gas systems, issuance of bonds for acquisition or extension of, code sections amended. S. B. 261, page 492.
- Water, sewer, gas, or electric system corporation, election of board of directors, act amended. S. B. 236, pages 453, 500.
- Water, sewer, gas, or electric systems, issuance of bonds for acquisition or extension of, code section amended. S. B. 262, page 493.
- Waterworks corporations, election of board of directors, code section amended. S. B. 238, pages 454, 500.
- Waterworks system, authorized to acquire, operate and extend whether located within or without corporate limits, code section amended. S. B. 331, pages 419, 555, 649, 650, 837, 849, 1566; H. B. 339, pages 839, 865, 1548, 1562.

CITIES 2,000 OR MORE POPULATION

- Elections to determine whether alcoholic beverages may be sold in. S. B. 56, page 25.

CITIES 6,000 POPULATION OR LESS

- Cost of certain public improvements not deemed to constitute indebtedness of, constitutional amendment. S. B. 228, pages 418, 553, 891, 1389, 1406, 1567.

CITIES 6,000 OR MORE POPULATION

Public improvements, financing and construction of outside the corporate limits and within the police jurisdiction of, act repealed. S. B. 241, pages 454, 498, 1121, 1122, 1123, 1383, 1446, 1568.

Public improvements, financing and construction of outside the corporate limits and within the police jurisdiction of, authorized. S. B. 241, pages 454, 498, 1121, 1122, 1123, 1383, 1446, 1568.

CITIES 3,125 TO 6,725 POPULATION

Council-mayor form of government, election of governing body. H. B. 53, pages 781, 861, 1280, 1422.

CITIES 6,500 TO 6,900 POPULATION

Election of governing body. H. B. 833, pages 788, 864, 1009, 1043.

CITIES 35,000 TO 55,000 POPULATION

Governing body, additional duties and compensation. S. B. 89, pages 102, 200, 230, 258, 282, 734.

CITIES 45,000 TO 54,000 POPULATION

Firemen's and policemen's pension and relief fund, act amended. H. B. 701, pages 581, 640, 711, 746.

CITIES 50,000 TO 100,000 POPULATION

Personnel board and merit system, created. S. B. 304, page 688.

Weeds growing upon vacant property, removal of. H. B. 749, pages 720, 743, 881.

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Mayor-council form of government for, election to vote on. H. B. 974, pages 1109, 1191, 1304, 1305, 1426.

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Commissioners, election. H. B. 944, pages 998, 1064, 1293, 1427.

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Form of government, election to authorize change in. H. B. 966, pages 1108, 1190, 1299, 1425.

Governing body, meetings regulated. H. B. 395, pages 303, 316, 356, 370.

Retirement and relief system, act amended. H. B. 962, pages 1107, 1189, 1298, 1440; H. B. 600, pages 535, 557, 616, 625.

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Jefferson County, city of Bessemer, established. H. B. 969, pages 1145, 1313, 1448, 1449, 1450, 1477, 1480.

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Talladega County, appointment and compensation of clerk. H. B. 920, page 971.

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CIVIL DEFENSE, DEPARTMENT OF

Created. S. B. 65, pages 73, 127, 148, 205, 214, 734.

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Action against employer in dispute involving payment of wages, joinder of all employees as plaintiffs in, authorized. H. B. 174, pages 288, 349, 408, 426.

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Actions on policies or certificates of insurance, venue in. H. B. 59, pages 157, 391, 553, 1450, 1478.

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Bail, qualifications of, code section amended. S. B. 265, pages 495, 691.

Bail, taking of by the sheriff, code section amended. S. B. 269, pages 540, 765.

Bills of exception, act abolishing amended. S. B. 278, pages 579, 765.

Bonds issued by certain public corporations, validation of prior to issuance, act amended. S. B. 258, page 491.

Bonds issued by city or county, validation of prior to issuance, appeals to supreme court, code section amended. S. B. 259, page 492.

Bonds issued by city or county board of education, validation of prior to issuance, act amended. S. B. 258, page 491.

Certificates of judgments of courts of record, issuance and recording of, regulated. H. B. 581, pages 1023, 1057.

Challenge of jurors for cause, code section amended. H. B. 51, pages 90, 692, 897, 907.

Civil cases at law, pleading in short in. H. B. 61, page 239.

Comparative negligence rule substituted for contributory negligence rule. H. B. 121, pages 207, 349, 406.

CIVIL REMEDIES AND PROCEDURE—Continued

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Lien in favor of hospitals upon cause of action accruing to injured person to whom care and treatment is given. S. B. 15, page 6; S. B. 132, pages 198, 217, 284, 285, 1391, 1445, 1568.

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Probation and suspension of execution of sentence, code section amended. H. B. 454, pages 448, 693, 1404, 1436.

Recovery of benefits when more than one party is named as the assured in a contract of insurance. H. B. 57, pages 164, 391, 695.

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CIVIL SERVICE SYSTEMS

Cities 50,000 to 100,000 population, created. S. B. 304, page 688.

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Title 2, Section 313. Adulteration of soda water and other soft drinks or beverages. S. B. 113, pages 134, 154, 228, 753, 757, 1566.

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- Title 2, Section 415. Fees collected by the department of agriculture and industries for the grading and inspection of agricultural products. S. B. 172, pages 297, 423.
- Title 2, Section 658. Declaration of policy with respect to soil conservation. S. B. 290, pages 626, 698, 882.
- Title 2, Section 663. Powers of soil conservation districts. S. B. 290, pages 626, 698, 882.
- Title 2, Section 672. Entomological work, pathological work, horticultural and floricultural work, and tree surgery work defined. S. B. 335, pages 760, 823.
- Title 5, Section 82. Limiting amount of loans made by a bank to any one person, firm, or corporation. S. B. 63, pages 33, 77, 106, 250, 253, 734.
- Title 7, Section 119. Suits for injury causing death of minor child. S. B. 139, pages 205, 691.
- Title 7, Section 123. Actions for wrongful act, omission, or negligence causing death. S. B. 88, pages 101, 692.
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- Title 7, Section 799. Certain women exempt from the requirement to give security for costs of appeals in certain cases. H. B. 185, pages 206, 420.
- Title 7, Section 1081. Definition of nuisances. S. B. 154, pages 253, 297.
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- Title 8, Section 39. Non-resident state fishing licenses. H. B. 348, pages 1024, 1193.
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- Title 11, Section 34. Fees and allowances of sheriffs. S. B. 297, pages 665, 692; H. B. 676, pages 1014, 1057, 1547, 1562.
- Title 11, Section 44. Fees allowed for mileage and attendance in civil cases. S. B. 107, pages 124, 692.
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- Title 11, Section 100. Fees and allowances of sheriffs. S. B. 297, pages 665, 692; H. B. 676, pages 1014, 1057, 1547, 1562.
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- Title 12, Section 230. Removal of county seat prohibited in certain cases. H. B. 36, pages 196, 641.
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- Title 15, Section 144. Taking of bail by the sheriff when a person is committed to jail for a bailable offense. S. B. 269, pages 540, 765.
- Title 15, Section 201. Qualifications of bail. S. B. 265, pages 495, 691.
- Title 15, Section 343. Execution of convict by electrocution. H. B. 173, pages 288, 420.
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- Title 15, Section 369. Appeals in habeas corpus cases. S. B. 59, page 31; H. B. 167, pages 195, 218, 250.
- Title 16, Section 1. Descent and distribution of estates of persons dying intestate. S. B. 1, page 4.
- Title 16, Section 10. Descent and distribution of estates of persons dying intestate. S. B. 1, page 4.
- Title 17, Section 12. Qualifications for voting. S. B. 12, page 5; H. B. 256, page 413.
- Title 17, Section 92. Authorizing the use of voting machines in any city or county. H. B. 554, page 1160.
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- Title 17, Section 305. Penalty for fraudulently altering or changing the vote of an elector. H. B. 202, page 283.
- Title 18, Section 51. Regulating the disposition of property by an electric co-operative. S. B. 260, page 492.
- Title 19, Section 11. Appointment of commissioners in condemnation proceedings. H. B. 681, pages 586, 1312, 1413, 1473.
- Title 19, Section 56. Right of way over land intervening between other land and public road. S. B. 140, page 215.
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- Title 22, Section 199. Care and treatment of tubercular patients. S. B. 83, pages 101, 241, 256, 257, 1014, 1040, 1566.
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- Title 25, Section 87. Limiting amount of rentals charged by housing authorities. H. B. 146, pages 289, 553, 1549, 1563.
- Title 26, Section 8. Creation of the board of appeals for the department of industrial relations. S. B. 195, page 349.
- Title 26, Section 185. Definition of word "employer" under unemployment compensation law. H. B. 80, pages 98, 125, 145, 160.
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- Title 26, Section 204. Experience rating under unemployment compensation law. H. B. 79, pages 98, 125, 144, 160; S. B. 64, page 33.
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- Title 27, Section 5. Record of petition, decree and proceedings, and status of adopted child. H. B. 672, pages 805, 855.
- Title 28, Section 317. Creating the state insurance fund. S. B. 224, pages 418, 768.
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- Title 29, Section 12. Advertising of alcoholic beverages. S. B. 137, page 199.
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- Title 29, Section 99. Penalty for violations of the prohibition law. S. B. 164, pages 275, 765.
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- Title 34, Section 20. Grounds for divorce. S. B. 34, pages 19, 76, 105.
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- Title 35, Section 67. Duties of adjutant general prescribed. S. B. 76, page 75.
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- Title 36, Section 15. Penalty for a driver of a motor vehicle following another vehicle too closely. S. B. 298, page 666.
- Title 36, Sections 42, 44, and 45. Lighting equipment on motor vehicles. H. B. 295, pages 468, 694, 901, 942.
- Title 36, Section 47. Authorizing the highway department to provide for the uniform marking and erection of signs on highways. H. B. 675, pages 1160, 1318.
- Title 36, Section 61. Receipts from issuance of driver's licenses paid into highway patrol fund. S. B. 49, pages 23, 76, 105, 163, 208, 734.
- Title 36, Section 69. Fines, penalties, and forfeitures for violations of law relating to driver's licenses paid into highway patrol fund. S. B. 49, pages 23, 76, 105, 163, 208, 734.
- Title 36, Section 71. Creation of the state highway patrol. S. B. 49, pages 23, 76, 105, 163, 208, 734.
- Title 36, Section 89. Limiting size and weight of motor vehicles and loads. S. B. 57, page 25; H. B. 110, pages 354, 391, 735, 826, 827, 850.
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- Title 37, Section 73. Compensation of commissioners. S. B. 253, pages 490, 559, 1119, 1389, 1407, 1567.

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- Title 37, Section 97. Election, duties, and salary of the recorder in certain cities. S. B. 225, pages 418, 499; H. B. 324, pages 1020, 1067, 1549, 1562.
- Title 37, Section 105. Compensation of commissioners. S. B. 254, pages 490, 559, 1119, 1389, 1407, 1567.
- Title 37, Sections 308, 309, 310, 312, 313, 314, 315, 325, 327, 329, and 340. Authorizing and regulating water, gas and sewer systems acquired and operated by counties and municipalities. S. B. 242, pages 455, 500, 892, 893, 1390, 1446, 1568.
- Title 37, Section 341. Definitions under the issuance of municipal public improvement revenue bonds. S. B. 261, page 492.
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- Title 37, Section 344. Authorizing the issuance of municipal public improvement revenue bonds. S. B. 261, page 492.
- Title 37, Section 363. Authorizing municipalities to acquire, operate and extend waterworks system, whether located within or without corporate limits. S. B. 331, page 750; H. B. 339, pages 839, 865, 1548, 1562.
- Title 37, Section 397. Election of board of directors of municipal waterworks corporation. S. B. 238, pages 454, 500.
- Title 37, Section 404. Election and duties of mayor and aldermen. S. B. 221, pages 417, 499, 1120, 1389, 1406, 1567.
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- Title 37, Section 587. Appeals from recorder's court. H. B. 443, pages 447, 765, 1537, 1550.
- Title 37, Section 739. Municipalities authorized to levy a privilege license tax on fire and marine insurance companies. S. B. 320, page 691.
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- Title 41, Section 44. Official bond a lien on property of certain county officers. S. B. 72, pages 75, 125, 158, 247.
- Title 41, Section 152. Salaries of state officers and employees not in the pay plan or fixed by law, maximum amount of salary. H. B. 951, pages 1160, 1203; S. B. 46, pages 22, 200, 226, 1184, 1185, 1384, 1406, 1567.
- Title 41, Section 154. Mileage and per diem expenses allowed persons traveling in service of the state. H. B. 126, pages 335, 350, 408, 426; S. B. 37, page 21.
- Title 41, Section 211. Contracts between county officers and the county. H. B. 685, pages 791, 1057.
- Title 42, Section 19. Probation and suspension of execution of sentence. H. B. 454, page 1160.
- Title 45, Section 96. County governing bodies authorized to deliver convicts sentenced to hard labor for the county to the state department of corrections and institutions. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.
- Title 45, Section 97. Resolution of county governing bodies with respect to the delivery of county convicts to the department of corrections and institutions. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.
- Title 45, Section 100. Prohibiting the working of county convicts in coal mines. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.
- Title 46, Section 73. Filing applications for a general contractors license. S. B. 328, pages 740, 857.
- Title 46, Section 77. Penalty for offenses relating to the licensing of general contractors. S. B. 327, pages 740, 857.
- Title 46, Section 80. Issuance of plans and specifications to a general contractor by the awarding authority. S. B. 329, pages 741, 857.
- Title 46, Section 211. Prohibiting false or misleading statements in advertisements by optometrists. H. B. 797, pages 1274, 1317; S. B. 267, pages 518, 769.
- Title 51, Section 2. Persons and property exempt from ad valorem taxes. H. B. 477, page 446.
- Title 51, Section 12. Exempting property of the Young Men's Christian Associations from taxation. S. B. 281, pages 592, 765.
- Title 51, Section 30. Compensation of tax assessors. H. B. 190, pages 1021, 1186, 1555, 1556, 1565, 1570.
- Title 51, Section 89. Appointment and terms of members of boards of equalization. S. B. 270, page 540.
- Title 51, Section 94. Terms of service and compensation of members of county boards of equalization. S. B. 252, page 490.
- Title 51, Section 122. Appointment of legal counsel for the department of revenue. H. B. 504, pages 1013, 1058.
- Title 51, Section 133. Equalization of assessed property valuations among the counties. S. B. 183, page 313.

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- Title 51, Section 191. Compensation of tax collectors. H. B. 189, pages 1021, 1186, 1553, 1554, 1565, 1570.
- Title 51, Section 409. Time and methods of payment of income tax. H. B. 273, pages 679, 820, 1015, 1016, 1020, 1045.
- Title 51, Section 425. Excise tax on financial institutions. S. B. 280, pages 579, 699, 703; H. B. 857, pages 1013, 1058, 1536, 1550.
- Title 51, Section 429. Tax on financial institutions. S. B. 218, pages 417, 499, 1120, 1121.
- Title 51, Section 460. Privilege license tax on attorneys. S. B. 345, page 808.
- Title 51, Section 566. Privilege license tax on cold storage plants, packing houses, and refrigerated warehouses. H. B. 160, pages 206, 241, 286, 301.
- Title 51, Section 582. Privilege license tax on restaurants, cafes, and cafeterias. H. B. 820, pages 837, 858.
- Title 51, Section 597. Privilege license tax on street fairs or carnivals. S. B. 149, page 239.
- Title 51, Section 632. Distribution of the proceeds of the tax levied on lubricating oils. S. B. 48, pages 23, 77, 106, 163, 207, 734; S. B. 128, pages 152, 218, 291.
- Title 51, Section 695. License and registration fee on motor vehicles used for transporting passengers for hire. H. B. 433, page 1020; S. B. 362, page 943.
- Title 51, Section 728. Discount for handling tobacco tax stamps. S. B. 338, pages 761, 821, 903, 1398, 1399, 1411, 1412, 1475, 1477, 1529, 1533, 1568.
- Title 51, Section 752. Definition of "wholesale sale", "sale at wholesale", and other terms relative to the sales tax. H. B. 244, pages 549, 556, 882, 905.
- Title 51, Section 753. Levying the state sales tax. S. B. 284, page 593; S. B. 285, page 593.
- Title 51, Section 755. Exemptions from the state sales tax. S. B. 285, page 593.
- Title 51, Section 757. Reporting credit collections under the sales tax laws. S. B. 285, page 593.
- Title 51, Sections 764. Penalty for failure to pay sales tax within prescribed time. S. B. 177, pages 312, 421.
- Title 51, Section 776. Requiring the sales tax to be added to the purchase price. S. B. 284, page 593; S. B. 285, page 593.
- Title 51, Section 788. Levying the state use tax. S. B. 283, page 593.
- Title 52, Section 93. Requiring free separate schools for white and colored children. S. B. 161, page 271.
- Title 52, Section 148. Definition of word "city". H. B. 64, pages 234, 244, 285, 300.
- Title 52, Section 167. Educational policy of city schools, and requiring separate schools for white and colored children. S. B. 160, page 271.

CODE OF ALABAMA 1940, AMENDED—Continued

- Title 52, Section 297. Compulsory attendance of children at school. S. B. 158, page 271.
- Title 52, Section 353. Employment and tenure of teachers. S. B. 276, page 578.
- Title 52, Sections 364 and 366. Membership and benefits under the teachers' retirement system. S. B. 200, pages 389, 640, 1124, 1384, 1445, 1568.
- Title 52, Section 365. Creditable service under the teachers' retirement system. H. B. 253, pages 412, 640, 1544, 1554.
- Title 52, Section 368. Management of funds of the teachers' retirement system. H. B. 434, pages 448, 496, 894, 908.
- Title 52, Section 369. Method of financing the teacher's retirement system. S. B. 293, pages 627, 697, 902, 1385, 1446, 1568; H. B. 434, pages 448, 496, 894, 908.
- Title 52, Sections 404 and 405. Appointment and duties of the committee on courses of study. S. B. 42, pages 22, 497, 650, 651.
- Title 55, Sections 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 267, and 268. Establishment of the department of archives and history. S. B. 167, page 296.
- Title 55, Section 305. Tests to establish registers for employment in the state service. S. B. 74, page 75.
- Title 60, Section 7. Widows of Confederate veterans who are entitled to pensions. S. B. 266, pages 518, 637, 895, 896, 1249, 1262, 1567.
- Title 61, Section 46. Probate and record of wills previously admitted to probate and record in courts outside this state. S. B. 313, pages 689, 1056.
- Title 61, Section 68. Grant of letters testamentary by the judge of probate. S. B. 62, page 33.
- Title 61, Section 81. Order of granting letters of administration. S. B. 339, pages 761, 821, 876.
- Title 61, Section 90. Authority of special administrators appointed by the judge of probate. S. B. 61, pages 33, 765.
- Title 61, Section 119. Time when suits may be commenced against an executor or administrator. H. B. 248, page 342.
- Title 61, Section 211. Time for presentation of certain claims against estate of decedent. H. B. 247, page 341.
- Title 61, Section 419. The effect of a report of insolvency on suits pending an executor or administrator. H. B. 249, page 342.
- Title 62, Section 2. Jurisdiction of juvenile court vested in county inferior court in certain counties. H. B. 50, pages 49, 127, 149, 161.

CODE OF ALABAMA 1940 REPEALED

- Title 22, Sections 205 through 231. Creation of milk control board. S. B. 246, page 456.

CODE OF ALABAMA 1940, REPEALED—Continued

- Title 37, Sections 331, 332 and 333. Transfer or disposition of surplus funds derived from the operation of a gas, water, or sewer system by a county or municipality. S. B. 242, pages 455, 500, 892, 893, 1390, 1446, 1568.
- Title 41, Section 44. Official bond a lien on property of certain county officers. S. B. 106, pages 124, 218, 247, 1367, 1406, 1567.
- Title 46, Section 210. Stores operating optometric departments, regulated. H. B. 797, pages 1274, 1317; S. B. 267, pages 518, 769.
- Title 51, Sections 237 through 248. Levy and collection of poll taxes. S. B. 6, page 5.
- Title 51, Section 555. Privilege license tax on the operation of coal mines. S. B. 22, pages 8, 540, 647, 1384, 1406, 1567.
- Title 52, Section 56. Requiring the state superintendent of education to prepare rules and regulations for the enforcement of school attendance. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Title 52, Section 93. Requiring free separate schools for white and colored children. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Title 52, Section 163. Authorizing the attendance of city schools by children residing without the city. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Title 52, Section 167. City board of education required to maintain separate schools for white and colored children. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Title 52, Sections 318 and 319. Promulgation of rules and regulations by the state board of education governing the attendance of children at school. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Title 52, Sections 351 through 361. Tenure of employment of teachers. S. B. 116, page 135.
- Title 55, Sections 19, 20, 22, 24, 25, 26, 27, and 28. Creating the state department of commerce. H. B. 30, pages 161, 351, 574, 575, 576, 591, 592, 700, 701, 744.

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- Industrial development of municipalities, constitutional amendment. H. B. 648, pages 535, 593, 710, 745.
- Judge, circuit, compensation. S. B. 9, pages 5, 25, 35, 471, 485, 735.
- Judge, circuit, compensation, act amended. S. B. 365, page 1045; S. B. 342, pages 807, 857; H. B. 931, pages 915, 1056, 1281, 1422.
- Tax assessor, office equipment, supplies and clerical assistance. H. B. 809, pages 947, 1060, 1282, 1423.
- Tax collector, office equipment, supplies and clerical assistance. H. B. 809, pages 947, 1060, 1282, 1423.

COLBERT COUNTY

- Alcoholic beverages, sale of regulated. H. B. 7, pages 41, 77, 107, 117.

COLBERT COUNTY—Continued

Commissioner of public schools, office abolished. H. B. 511, pages 439, 557, 615, 620, 621; H. B. 904, page 980.

Coroner, clerical assistance. H. B. 770, pages 773, 821, 877, 906.

Solicitor of the law and equity court, office space, telephone service. H. B. 905, pages 919, 1062, 1286, 1438.

Superintendent of education, office created. H. B. 511, pages 439, 557, 615, 620, 621; H. B. 904, page 980.

Tuscumbia, city of, dedication of certain property vacated and annulled. H. B. 687, pages 581, 639, 710, 746.

COLD STORAGE PLANTS

Privilege license tax, code section amended. H. B. 160, pages 206, 241, 286, 301.

COLE, MRS. H. F.

Talladega County, relief of. S. B. 250, pages 489, 519, 610, 708, 737, 1566.

COLISEUM, LIVESTOCK

Appropriation, agricultural center board, for operation of. H. B. 177, pages 249, 275, 322, 337; S. B. 75, pages 75, 241, 322.

COLLINSVILLE, TOWN OF

Boundaries altered. H. B. 250, pages 167, 219, 278, 295.

COMMERCE, STATE DEPARTMENT OF

Abolished. H. B. 30, pages 161, 351, 574, 575, 576, 591, 592, 700, 701, 744.

Bureau of loans, act creating amended. S. B. 271, page 540; S. B. 153, pages 240, 251, 768.

COMMISSION ON EDUCATION

Cullman County, act creating amended. H. B. 18, pages 42, 77, 108, 117.

COMMISSIONER OF LICENSES

Counties 230,000 to 500,000 population, salary. H. B. 73, pages 52, 78, 129, 142.

COMMISSIONER OF PUBLIC SCHOOLS

Colbert County, office abolished. H. B. 511, pages 439, 557, 615, 620, 621; H. B. 904, page 980.

COMMITTEE ON COURSES OF STUDY

Appointment and duties, code sections amended. S. B. 42, pages 22, 497, 650, 651.

COMMITTEE ON STANDARD SPECIFICATIONS

Created. S. B. 110, pages 134, 496, 536, 540, 541, 903, 1115, 1116.

COMMON CARRIERS

"Alabama motor carrier act of 1939", amended. H. B. 688, pages 1275, 1316, 1538, 1551.

COMMON CARRIERS—Continued

Motor vehicles used for commercial purposes and owned by certain non-residents, registration of prohibited. H. B. 355, pages 851, 946, 1464, 1465, 1478; S. B. 299, page 666.

Motor vehicles used to transport passengers for hire, license and registration fee, code section amended. S. B. 362, page 943; H. B. 433, page 1020.

Transporting passengers on fixed routes, required to furnish certain station conveniences on order of public service commission. S. B. 58, page 25.

COMPARATIVE NEGLIGENCE

Substituted for contributory negligence. H. B. 121, pages 207, 349, 406.

COMPENSATORY DAMAGES

Actions for wrongful act, omission, or negligence causing death, code section amended. S. B. 88, pages 101, 692; H. B. 67, pages 338, 692.

Suits for injury causing death of minor child, code section amended. S. B. 139, pages 205, 691.

CONDEMNATION

Counties 63,750 to 72,750 population, board of equalization to serve as commissioners in condemnation proceedings. H. B. 681, pages 586, 1312, 1413, 1473.

Rights of way for state roads, acquisition of. H. B. 255, pages 1145, 1317, 1559, 1570.

Right of way over land intervening between other land and public road, acquisition of through, code section amended. S. B. 140, page 215.

CONECUH COUNTY

Industrial development of municipalities in, constitutional amendment. H. B. 423, pages 335, 352, 460, 477.

CONFEDERATE VETERANS

Widows of, who are entitled to pensions, code section amended. S. B. 266, pages 518, 637, 895, 896, 1249, 1262, 1567.

CONSERVATION

Alabama oil and gas commission, created. S. B. 73, page 75; S. B. 122, pages 136, 354.

Fishing licenses, code section amended. S. B. 4, page 4; H. B. 98, pages 517, 641, 726, 727, 728, 729, 730, 732, 733, 734, 748, 778, 823, 824, 828, 885, 887, 888, 889, 913, 914, 1012.

Fishing with electrical devices, committee created to correlate results of biological study relative to, joint resolution. S. J. R. 57, pages 709, 747, 749, 1566.

Forest fires, county governing body authorized to provide protection against. H. B. 194, pages 1181, 1207, 1543, 1554; S. B. 361, pages 943, 1068.

CONSERVATION—Continued

- Forest fires, interstate compacts for prevention and control of, authorized. H. B. 179, pages 1023, 1068, 1485, 1539.
- Fort Morgan historical commission, created. H. B. 301, pages 238, 637, 1399, 1400, 1436.
- Hunting and fishing licenses, lifetime, for persons sixty-five years of age or over. H. B. 135, page 476.
- Lighted matches, cigarettes and other burning materials, unlawful to throw on highways, railroad rights of ways, forest lands, grass lands, etc. H. B. 195, pages 206, 297.
- Non-residents engaged in business of catching fish in public fresh waters for commercial purposes made unlawful. S. B. 156, pages 253, 641.
- Non-resident state fishing licenses, code section amended. H. B. 348, pages 1024, 1193.
- Non-resident trip fishing licenses, code section amended. H. B. 347, page 1276.
- Soil conservation, declaration of policy with respect to, code section amended. S. B. 290, pages 626, 698, 882.
- Tree infestation and disease, program for prevention of. H. B. 178, pages 1160, 1203.
- Water improvement advisory commission empowered to conserve and regulate underground waters. S. B. 27, pages 10, 139, 158, 247, 310, 406.
- Water resources study commission, created. S. B. 121, pages 136, 1059.

CONSERVATION, STATE DEPARTMENT OF

- Chief attorney designated as chief legal counsel of. S. B. 136, pages 199, 643, 692.
- Director authorized to appoint volunteer forest fire wardens. H. B. 164, pages 195, 594, 1544, 1554.
- Menhaden, catching, transporting and processing of, regulated. H. B. 868, pages 1261, 1312.
- State park system, issuance of bonds to improve, develop, authorized, constitutional amendment. S. B. 325, pages 740, 766; H. B. 961, pages 1194, 1202.

CONSTITUTION, STATE

- Amendments to, constitutional amendment relative to adoption of. S. B. 216, pages 417, 638.

CONSTITUTIONAL AMENDMENTS

- Ad valorem taxes, additional, for public school purposes. S. B. 35, pages 19, 421, 600, 1396, 1397, 1445, 1567.
- Amendments to the constitution, mode of adopting. S. B. 216, pages 417, 638.
- Bonds, issuance of, for school building purposes. H. B. 617, pages 701, 770, 867, 1270, 1272, 1273, 1318, 1358, 1441; S. B. 40, pages 21, 770; S. B. 232, pages 419, 770.

CONSTITUTIONAL AMENDMENTS—Continued

- Bonds, issuance of, for school building purposes, constitutional amendment. H. B. 728, pages 1014, 1057, 1385, 1387, 1388, 1389, 1396, 1435.
- Bonds, issuance of, to improve, develop, state park system. H. B. 961, pages 1194, 1202; S. B. 325, pages 740, 766.
- Bullock County, regulating fees, commissions, and salaries of tax assessor and tax collector. H. B. 703, pages 583, 640, 723, 752.
- Butler County, ad valorem tax for school purposes. H. B. 745, pages 715, 767, 874, 904.
- Chilton County, ad valorem tax for school purposes. H. B. 991, pages 1153, 1205, 1377, 1412.
- Cities 6,000 population or less, cost of certain public improvements not deemed to constitute indebtedness of. S. B. 228, pages 418, 553, 891, 1389, 1406, 1567.
- Clarke County, register of circuit court, compensation. S. B. 157, pages 254, 298, 403, 471, 485, 735.
- Coffee County, industrial development of municipalities. H. B. 648, pages 535, 593, 710, 745.
- Conecuh County, industrial development of municipalities. H. B. 423, pages 335, 352, 460, 477.
- Cullman County, circuit clerk, fees and salary. H. B. 799, pages 777, 822, 1002, 1041; S. B. 300, pages 666, 766, 871, 1115, 1566.
- Cullman County, industrial development of municipalities. H. B. 19, pages 43, 554, 613, 620.
- Elmore County, judge of probate, sheriff, tax assessor, tax collector, circuit clerk and register, compensation. H. B. 24, pages 175, 496, 606, 620.
- Fayette County, municipalities in, powers of. H. B. 771, pages 774, 821, 877, 906.
- Free private schools, provided for. S. B. 54, page 24.
- Hospitals, public, special taxes authorized for support of. S. B. 309, page 689; H. B. 480, pages 1013, 1058, 1545, 1554.
- Income tax, rate of. S. B. 162, pages 271, 554.
- Jefferson County, circuit judge, filling vacancies in office of. S. B. 295, pages 662, 695, 863; H. B. 782, pages 777, 822, 878, 907.
- Lamar County, industrial development of municipalities. H. B. 117, pages 86, 153, 200, 208.
- Lamar County, powers and authority of the county governing body. H. B. 1012, pages 1220, 1314, 1415, 1416, 1484, 1485, 1539.
- Lawrence County, issuance of bonds for school building purposes, authorized. S. B. 234, pages 453, 554, 613, 708, 737, 1565.
- Lawrence County, special school districts and taxes, authorized. S. B. 234, pages 453, 554, 613, 708, 737, 1565.
- Lee County, ad valorem tax for school purposes. H. B. 754, pages 715, 767, 874, 904.

CONSTITUTIONAL AMENDMENTS—Continued

Lee County, cities of Auburn and Opelika, ad valorem tax for school purposes. H. B. 783, pages 776, 822, 879, 881, 889, 907.

Legislature, reapportionment of. S. B. 29, page 11; S. B. 182, page 313.

Limestone County, additional ad valorem tax. H. B. 785, pages 775, 822, 878, 907.

Limestone County, additional taxes to provide fire protection. H. B. 545, pages 429, 457, 604, 622.

Marion County, industrial development. H. B. 977, pages 1114, 1191, 1301, 1424.

Marion County, powers and authority of county governing body. H. B. 1012, pages 1220, 1314, 1415, 1416, 1484, 1485, 1539.

Montgomery County, ad valorem tax for school purposes. S. B. 71, pages 75, 103, 131, 196, 208, 734; H. B. 181, pages 155, 199, 229.

Officers, county, abolishing fee system of compensating. S. B. 10, pages 5, 421.

Officers, state, county and city, abridgment of term of office. S. B. 30, pages 11, 125, 139, 140.

Pike County, costs and charges of courts. H. B. 492, pages 393, 422, 467, 487.

Poll tax, abolishing as a pre-requisite to voting. S. B. 7, page 5; S. B. 14, page 6.

Public schools, regulated. S. B. 251, pages 490, 554, 600.

Public schools, white and colored children not compelled to attend same school. S. B. 159, page 271.

Right to register and vote extended to persons between the ages of eighteen and twenty-one. S. B. 3, page 4; S. B. 125, page 143.

Russell County, ad valorem tax for school purposes. H. B. 636, pages 534, 558, 618, 625.

Shelby County, ad valorem tax for school purposes. H. B. 981, pages 1074, 1192, 1301, 1412.

Tax on incomes, special, for school purposes, authorized. H. B. 683, pages 680, 767, 840, 841, 842, 849, 850, 868, 904.

Tuberculosis sanatoria, authorizing issuance of bonds for construction of. H. B. 835, pages 1159, 1202, 1564, 1570.

Tuscaloosa County, issuance of bonds for construction of court house and jail, authorized. H. B. 831, pages 781, 863, 1008, 1043.

Voting, qualifications for. H. B. 45, pages 412, 518; S. B. 3, page 4; S. B. 125, page 143; S. B. 7, page 5; S. B. 14, page 6.

Walker County, costs and charges of courts. H. B. 390, pages 384, 390, 464, 487.

Walker County, industrial development of municipalities. H. B. 169, pages 155, 199, 281, 293.

Wilcox County, filling vacancies in certain county offices. H. B. 829, page 798.

CONSTITUTIONAL AMENDMENTS—Continued

Winston County, ad valorem taxes for school purposes and for public hospital and health services. H. B. 830, pages 798, 946, 1281, 1422.

CONTRABAND

Counties 94,000 to 134,000 population, disposition of proceeds of sale of. H. B. 796, pages 777, 822, 879, 907.

Disposition and distribution of proceeds derived from sale of, code section amended. S. B. 151, page 240.

CONTRACTORS, BUILDING

Licensing of. S. B. 328, pages 740, 857.

CONTRACTORS, GENERAL

Application for licenses, code section amended. S. B. 328, pages 740, 857.

Awarding authority, issuance of plans and specifications to a general contractor by, code section amended. S. B. 329, pages 741, 857.

Licensing of, code section amended. S. B. 327, pages 740, 857.

Penalty for submitting bid for work in this state when not licensed. S. B. 327, pages 740, 857.

CONTRACTORS, HIGHWAY

Licensing of. S. B. 328, pages 740, 857.

CONTRACTORS, PUBLIC UTILITIES

Licensing of. S. B. 328, pages 740, 857.

CONTRACTORS, SPECIALTY

Licensing of. S. B. 328, pages 740, 857.

CONTRACTS

Assignment of accounts receivable, regulating, act amended. H. B. 10, pages 338, 692, 1560, 1569.

County officers and the county, between, regulated, code section amended. H. B. 685, pages 791, 1057.

Husband and wife, between, regulated, code section amended. S. B. 141, pages 215, 420, 649.

Insurance, venue in actions on. H. B. 59, pages 157, 391, 553, 1450, 1478.

Recovery of benefits when more than one party is named as the assured in a contract of insurance. H. B. 57, pages 164, 391, 695.

Safe deposit boxes, banks and companies engaged in renting or leasing, authorized to limit liability in respect to, by. S. B. 289, pages 626, 697.

Usurious interest paid, recovery of, code section amended. S. B. 326, pages 740, 1059.

Wife prohibited from become surety for the husband, code section amended. S. B. 141, pages 215, 420, 649.

CONTRIBUTORY NEGLIGENCE

Comparative negligence rule substituted for. H. B. 121, pages 207, 349, 406.

CONVICTS

Capital punishment abolished, life imprisonment without privilege of pardon or parole made maximum sentence. S. B. 70, page 74.

Civil and political rights, restoration of. H. B. 612, pages 753, 765.

County convicts, delivery to, and imprisonment of by, the department of corrections and institutions, code sections amended. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.

County convicts, prohibited from working in coal mines, code section amended. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.

Execution of death sentence, method, time and place of, code sections amended. H. B. 173, pages 288, 420.

Probation and suspension of execution of sentence, code section amended. H. B. 454, pages 448, 693, 1404, 1436.

Under twenty-one years of age, management of, regulated. S. B. 192, page 348.

COOPERATIVES

Farming or trucking associations, permit fee required of, code section amended. S. B. 220, pages 417, 496.

COOSA COUNTY

Fishing in public waters of, regulated. H. B. 810, page 909.

CORDOVA, CITY OF

Boundaries altered. H. B. 1025, pages 1025, 1242, 1316, 1420, 1472.

CORONER

Colbert County, clerk authorized. H. B. 770, pages 773, 821, 877, 906.

Counties 63,700 to 70,000 population, office space, equipment and supplies. H. B. 680, pages 586, 639, 723, 752.

Counties 80,000 to 94,000 population, assistant coroner authorized. H. B. 813, pages 797, 862, 1007, 1042.

Counties 225,000 to 400,000 population, office of coroner's pathologist created. S. B. 292, pages 627, 662, 721, 722, 914, 942, 1566.

Limestone County, compensation. H. B. 543, pages 426, 457, 604, 622.

Talladega County, clerk authorized. S. B. 323, pages 738, 769, 875, 1100, 1144, 1566.

CORPORATIONS

Churches and other religious organizations, incorporation of certain ones, regulated. S. B. 360, pages 889, 1056.

Corporations not of a business character, powers of, code section amended. S. B. 180, pages 313, 556, 895, 1367, 1406, 1567.

Counties 400,000 or more population, incorporation of tunnel authorities for construction of vehicular tunnels, authorized. H. B. 155, pages 224, 242, 284, 322, 406, 828, 829, 830, 831, 832, 834, 847, 850; S. B. 60, page 31.

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- Counties 500,000 or more population, authorized to create public corporation for the purpose of constructing, operating tubercular hospitals or clinics. H. B. 426, pages 326, 352, 460, 478.
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COUNTIES 73,000 TO 93,000 POPULATION

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CULLMAN COUNTY

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- Abolished. S. B. 19, page 7.

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Non-resident trip fishing licenses, code section amended. H. B. 347, page 1276.

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County mineral documentary tax levied upon leases and instruments creating and transferring severed interests in non-producing oil, gas and other minerals. H. B. 192, pages 1275, 1312.

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Capital punishment abolished, life imprisonment without privilege of pardon or parole made maximum sentence. S. B. 70, page 74.

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County convicts, delivery to and imprisonment of, by department of corrections and institutions, code sections amended. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.

County convicts, prohibited from working in coal mines, code section amended. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.

Execution of death sentence, method, time and place of, code sections amended. H. B. 173, pages 288, 420.

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County convicts, delivery to and imprisonment of by state, code sections amended. S. B. 98, pages 121, 217, 247, 1023, 1040, 1566.

Kilby prison, appropriation for the installation of a gas chamber. H. B. 420, pages 791, 868, 945.

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Contraband or forfeited, disposition and distribution of proceeds derived from sale of, code section amended. S. B. 151, page 240.

Equalization of assessed property valuations among the counties, code section amended. S. B. 183, page 313.

Fraudulently obtaining goods or money on credit, penalty for, code section amended. H. B. 9, pages 412, 692, 1560, 1569.

Jury trial provided in proceedings to establish disputed boundaries between coterminous owners of land. H. B. 4, page 195.

Ownership of, does not render person ineligible to receive old-age assistance, aid to the blind and aid to the permanently and totally disabled. S. B. 111, page 134.

Real property owned by recipients of old-age assistance, state given lien on. S. B. 111, page 134.

Subjected to sales and use taxes by another state, additional tax levied on, in certain cases. H. B. 222, pages 1022, 1058.

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Authorized to acquire, construct, buildings for use of municipalities. S. B. 369, page 1049 H. B. 556, pages 1263, 1311.

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Appropriation to pay cost of inoculating indigent children with Salk polio vaccine. H. B. 2, page 98.

Barbers, regulated and licensed. H. B. 193, pages 947, 1192; S. B. 288, pages 626, 823.

Barbiturates, sale and handling of, regulated, act amended. H. B. 506, pages 1145, 1263.

Cosmetology, practice regulated and licensed. H. B. 557, pages 1261, 1317; S. B. 235, pages 453, 866.

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Ice cream, requiring use of grade "A" milk in manufacture of. S. B. 273, page 540.

Milk containers, requiring to be dated, prohibited. S. B. 282, page 593.

Milk control board, abolished. S. B. 246, page 456.

Milk, regulating testing, inspecting, grading of. H. B. 377, pages 397, 665, 668, 748, 750, 770, 824, 868, 1305, 1307, 1308, 1309, 1359, 1441; S. B. 146, page 217.

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Narcotic drugs, definitions pertaining to regulation of, code section amended. H. B. 507, pages 1145, 1263.

Optometry, practice of, regulated, code section amended. H. B. 797, pages 1274, 1317; S. B. 267, pages 518, 769.

Soft drinks or beverages containing artificial or non-nutritive sweetening, manufacture of, authorized. S. B. 113, pages 134, 154, 228, 753, 757, 1566.

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Cities 6,000 population or less, cost of, in certain cases, not deemed to constitute indebtedness, constitutional amendment. S. B. 228, pages 418, 553, 891, 1389, 1406, 1567.

Cities 6,000 or more population, financing and construction of, outside corporate limits and within police jurisdiction of, act repealed. S. B. 241, pages 454, 498, 1121, 1122, 1123, 1383, 1446, 1568.

Cities 6,000 or more population, financing and construction of, outside corporate limits and within police jurisdiction of, authorized. S. B. 241, pages 454, 498, 1121, 1122, 1123, 1383, 1446, 1568.

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Act creating amended. S. B. 50, pages 23, 76, 109, 163, 214.

Highway patrol fund, collection and distribution of funds in, code section amended. S. B. 49, pages 23, 76, 105, 163, 208, 734.

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Cities authorized to acquire, operate, and extend waterworks system, whether located within or without corporate limits, code section amended. S. B. 331, page 750; H. B. 339, pages 839, 865, 1548, 1562.

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- Marion County, electric and hydro-electric utilities, privilege license on, act amended. H. B. 340, pages 260, 283, 284; H. B. 632, pages 521, 558, 617, 624.
- Marion County, public corporation to acquire and operate hydro-electric and irrigation projects and sell water and water rights, creation authorized. H. B. 631, pages 530, 558, 617, 624.
- Motor vehicles used to transport passengers for hire, license and registration fee, code section amended. H. B. 433, page 1020 S. B. 362, page 943.
- Municipal waterworks corporation, election of board of directors, code section amended. S. B. 238, pages 454, 500.
- Public corporation authorized to transfer water, sewer, gas and electric systems to municipality. S. B. 263, pages 494, 560.
- Three-judge special court to determine applications for injunctions restraining enforcement, executions, or orders of public service commission. H. B. 85, pages 414, 765, 1487, 1539.
- United telephone and telegraph company and Clio telephone company, joint resolution creating committee to investigate. H. J. R. 43, pages 482, 562.
- United telephone and telegraph company and Clio telephone company, joint resolution directing committee to continue investigation of. H. J. R. 78, pages 1365, 1430.
- Water, sewer and gas systems, issuance of bonds by cities for acquisition or extension of, code section amended. S. B. 261, page 492.
- Water, sewer, gas, or electric system corporation, municipal, election of board of directors, act amended. S. B. 236, pages 453, 500.
- Water, sewer, gas, or electric systems, issuance of bonds by cities for acquisition or extension of, code section amended. S. B. 262, page 493.

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- County boards of, act creating amended. S. B. 51, pages 24, 298, 341; S. B. 142, pages 215, 423; S. B. 277, pages 579, 769, 1269.
- County boards of pensions and social services, created. S. B. 47, pages 22, 423; H. B. 17, pages 503, 768, 1402, 1403, 1436.
- County departments of, act creating amended. S. B. 51, pages 24, 298, 341; S. B. 142, pages 215, 423; S. B. 277, pages 579, 769, 1269.
- County departments of pensions and social services, created. H. B. 17, pages 503, 768, 1402, 1403, 1436; S. B. 47, pages 22, 423.
- Liability of relatives for support of persons committed to state mental institutions, act repealed. S. B. 126, page 151; S. B. 109, page 125.
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Real property, ownership of, does not render person ineligible to receive old-age assistance, aid to the blind and aid to the permanently and totally disabled. S. B. 111, page 134.

Real property owned by recipients of old-age assistance, aid to the blind and aid to the permanently and totally disabled, state given lien on. S. B. 111, page 134.

State board of, act creating amended. S. B. 51, pages 24, 298, 341; S. B. 142, pages 215, 423; S. B. 277, pages 579, 769, 1269.

State board of pensions and social services, created. S. B. 47, pages 22, 423 H. B. 17, pages 503, 768, 1402, 1403, 1436.

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State department of pensions and social services, created. H. B. 17, pages 503, 768, 1402, 1403, 1436; S. B. 47, pages 22, 423.

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PUBLIC WELFARE, COUNTY DEPARTMENT OF

Act creating amended. S. B. 142, pages 215, 423; S. B. 51, pages 24, 298, 341; S. B. 277, pages 579, 769, 1269.

PUBLIC WELFARE, STATE BOARD OF

Act creating amended. S. B. 142, pages 215, 423; S. B. 51, pages 24, 298, 341; S. B. 277, pages 579, 769, 1269.

PUBLIC WELFARE, STATE DEPARTMENT OF

Act creating amended. S. B. 142, pages 215, 423; S. B. 51, pages 24, 298, 341; S. B. 277, pages 579, 769, 1269.

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Counties 22,000 to 23,000 population, regulated. S. B. 179, pages 313, 351, 459; H. B. 490, pages 391, 422, 459, 479.

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Equalization of assessed property valuations among the counties, code section amended. S. B. 183, page 313.

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Ownership of, does not render person ineligible to receive old-age assistance, aid to the blind and aid to the permanently and totally disabled. S. B. 111, page 134.

Owned by recipients of old-age assistance, state given lien on. S. B. 111, page 134.

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Right of way over land intervening between other land and public road, code section amended. S. B. 140, page 215.

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Joint resolution providing for the appointment of a committee to consider retention of world war II selective service records. S. J. R. 9, pages 130, 131, 143, 155, 734.

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RECORDS COMMISSION, STATE

Created. H. B. 626, pages 1112, 1186, 1559, 1570.

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Privilege license tax, code section amended. H. B. 160, pages 206, 241, 286, 301.

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Talladega County, clerk hire allowance, act amended. H. B. 279, pages 172, 220, 278, 295.

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Constitutional amendment extending right to register and vote to persons between the ages of eighteen and twenty-one. S. B. 3, page 4; S. B. 125, page 143.

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- Talladega County, defining persons presumed to be qualified electors. S. B. 36, pages 20, 33, 91, 155, 160, 734.
- Tuscaloosa County, reidentification of voters. S. B. 275, pages 552, 698, 869.

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- Elmore County, A. B. Richardson. H. B. 410, pages 303, 496, 606, 621.
- Houston County, City of Dothan, C. J. Parrish, Jr. S. B. 123, pages 136, 154, 227, 258, 283, 734.
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- Lawrence County, Sim Jenkins. H. B. 157, pages 110, 127, 149, 161, 275.
- Lawrence County, Sinclair Refining Company. H. B. 853, pages 783, 864, 1010, 1044.
- Lawrence County, William Parker. H. B. 157, pages 110, 127, 149, 161, 275.
- Madison County, Harold E. Simmons. H. B. 856, pages 784, 865, 1010, 1044.
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Agricultural products, congress memorialized to enact legislation guaranteeing price supports of at least 90% for. S. J. R. 3, pages 26, 28, 31, 734.

Arnette, Delores, congratulated on being named "All-American Homemaker of Tomorrow." H. J. R. 54, pages 599, 626.

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Battle of Horseshoe Bend, congress memorialized to enact legislation creating military park at site of. H. J. R. 42, pages 476, 477, 513.

Brown Printing Company, extending thanks to. H. J. R. 95, pages 1486, 1540.

Carr, Robert Bryan, mourning death of. H. J. R. 6, pages 26, 27, 34.

Clio telephone company, joint committee created to investigate. H. J. R. 43, pages 482, 562.

Clio telephone company, joint committee directed to continue investigation of. H. J. R. 78, pages 1365, 1430.

Congress memorialized to enact legislation providing assistance for physically handicapped children between sixteen and eighteen years of age. H. J. R. 64, pages 890, 942.

Cunningham, Mrs. E. O., mourning death of. H. J. R. 25, pages 222, 233.

Dairy industry, committee created to study. S. J. R. 42, pages 459, 549, 551, 573, 600, 735.

Draper prison, state board of education requested to locate a trade school at. H. J. R. 70, pages 1101, 1102, 1182.

Firemen, annual training school for, appointment of committee to visit. H. J. R. 24, pages 197, 205, 208, 210.

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Football game between Auburn and Alabama, urging televising of. H. J. R. 72, pages 1196, 1395, 1441.

Forest products, state agencies directed to draw specifications so as to provide fair competitive position for. H. J. R. 20, pages 150, 158, 204.

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Georgia-Alabama, committee appointed to work out a more equitable boundary line between. S. J. R. 26, pages 317, 340, 345, 735.

Givhan, Senator Walter C., commended. S. J. R. 93, pages 1482, 1537, 1553, 1568.

Governor, requesting Governor to call special session to provide money for teachers' salaries. S. R. 40, page 425.

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Hale County delegation, expressing appreciation to, for barbecue given legislature. S. J. R. 7, pages 81, 82, 93, 734.

Hall, John Henry, mourning death of. H. J. R. 85.

Hawkins, Rep. George C., congratulated on being elected a fellow in the international academy of trial lawyers. H. J. R. 90, pages 1452, 1480.

Huddleston, Patricia, congratulation extended upon her being chosen Miss Alabama. H. J. R. 57, pages 751, 771.

Huntsville, city of, extending felicitations to, on its sesquicentennial. H. J. R. 82, pages 1397, 1398, 1442.

Interstate barriers, legislature refuses to consider any further legislation erecting. S. J. R. 44, pages 514, 549, 549, 561, 562, 771, 778, 1566.

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Jordan, James V., expressing appreciation to. S. J. R. 88, pages 1410, 1482, 1533, 1568.

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Legislative reference service, expressing appreciation to staff of. S. J. R. 85, pages 1409, 1452, 1475, 1568.

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- Legislature, clerk of house authorized to appoint electrical roll call operator and assistant clerk. H. J. R. 74, pages 1200, 1274.
- Legislature, compensation of certain employees. S. J. R. 41, pages 458, 481, 485, 735.
- Legislature, secretary of senate, clerk of house, and doorkeepers of senate and house relieved of responsibility for the codes, supplements, and other books furnished to members of. H. J. R. 93, pages 1486, 1540.
- Maury A. McWilliams power plant, congratulating rural people of south Alabama on the dedication of. H. J. R. 38, pages 364, 387.
- Mentally ill persons in state institutions, committee to investigate act requiring support and maintenance of, continued. H. J. R. 75, pages 1260, 1395, 1411, 1442.
- Milk vending machines in the rotunda of the capitol and in all state office buildings, installation of recommended. S. J. R. 39, pages 425, 458, 485, 735.
- Montgomery, city of, expressing appreciation to the governing body, officers and employees, civic organizations and citizens of. S. J. R. 86, pages 1410, 1452, 1475, 1568.
- Montgomery, city of, state board of education requested to locate vocational trade school in. H. J. R. 76, pages 1260, 1274.
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- Naming House Bill 17. H. J. R. 69, pages 1443, 1490.
- Naming House Bill 85. H. J. R. 99, pages 1529, 1540.
- Naming House Bill 169. S. J. R. 23, pages 282, 284, 293, 734.
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- Naming Senate Bill 17. S. J. R. 17, pages 221, 355, 370, 735.
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- Naming Senate Bill 22. H. J. R. 84, pages 1413, 1473.
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- Newton, Herbert E. (Pug), mourning death of. H. J. R. 10, pages 68, 79.
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- Pate, Sam, mourning death of. S. J. R. 38, pages 423, 424.

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- Houston County, act regulating office of, amended. S. B. 372, pages 1051, 1187, 1265, 1455, 1474, 1568; H. B. 1011, pages 1221, 1314, 1416, 1471.
- Jackson County, appointment and compensation of deputies. H. B. 844, pages 931, 1066, 1371, 1430.
- Jackson County, expense allowance. H. B. 844, pages 931, 1066, 1371, 1430.
- Lauderdale County, chief deputy, compensation. H. B. 888, pages 930, 960, 1061, 1284, 1437.
- Limestone County, deputies, compensation, act amended. H. B. 224, pages 181, 218, 275, 294.
- Lowndes County, additional deputy authorized. H. B. 729, pages 628, 663, 724, 752.
- Marion County, act authorizing additional deputy, amended. H. B. 909, pages 952, 1062, 1287, 1438.
- Morgan County, chief deputy, compensation. H. B. 1020, pages 1239, 1315, 1419, 1490.
- Morgan County, deputies and jailers, act providing for, amended. H. B. 1022, pages 1236, 1316, 1419, 1490.
- Official bond a lien on property of, code section amended. S. B. 72, pages 75, 125, 158, 247.
- Official bond a lien on property of, code section repealed. S. B. 106, pages 124, 218, 247, 1367, 1406, 1567.
- Russell County, acts authorizing additional deputy, amended. H. B. 438, pages 331, 353, 462, 478; H. B. 439, pages 330, 353, 462, 478.
- Russell County, act providing for special or general deputy, amended. H. B. 440, pages 333, 353, 462, 479.
- St. Clair County, chief deputy and other deputies, compensation. S. B. 248, pages 487, 519, 610, 708, 737, 1565.
- Talladega County, Deputies and assistants, compensation, act amended. S. B. 191, pages 347, 422, 707, 799, 802, 1566.
- Tallapoosa County, deputies, compensation. H. B. 588, pages 472, 497, 609, 623.
- Wilcox County, additional deputy authorized. H. B. 1026, pages 1220, 1316, 1421, 1472.
- Winston County, additional deputies authorized, act amended. H. B. 142, pages 87, 1203, 1422; H. B. 143, pages 88, 1204, 1422.

SHIPPING POINT INSPECTION FUND

- Established. S. B. 171, pages 296, 423; H. B. 458, pages 1195, 1208.

SIMMONS, HAROLD E.

- Madison County, relief of. H. B. 856, pages 784, 865, 1010, 1044.

SINCLAIR REFINING COMPANY

- Lawrence County, relief of. H. B. 853, pages 783, 864, 1010, 1044.

SIXTH JUDICIAL CIRCUIT

Solicitor's fund, created. H. B. 561, pages 580, 743, 872, 904.

Solicitor, secretary to, compensation. H. B. 562, pages 781, 861, 1280, 1422.

SLUM AREAS

Housing authorities and municipalities given additional power and authority to eliminate or prevent spread of. H. B. 145, pages 289, 553, 1551, 1563.

SNAKES

Live, poisonous and not indigenous, misdemeanor to possess or bring into state. S. B. 199, pages 389, 420.

SOCIAL SECURITY

Officers and employees of state and local governments act providing for, amended. S. B. 112, pages 134, 153, 202, 413, 416, 479, 480, 510, 516, 735, 735.

SODA WATER

Marion County, privilege license, calling an election to authorize. H. B. 633, page 523.

Soft drinks or beverages containing artificial or non-nutritive sweetening, manufacture of, authorized. S. B. 113, pages 134, 154, 228, 753, 757, 1566.

SOFT DRINKS

Marion County, privilege license, calling an election to authorize. H. B. 633, page 523.

Soda water and other beverages containing artificial or non-nutritive sweetening, manufacture of, authorized. S. B. 113, pages 134, 154, 228, 753, 757, 1566.

SOIL CONSERVATION

Declaration of policy with respect to, code section amended. S. B. 290, pages 626, 698, 882.

Soil conservation districts, powers of, code section amended. S. B. 290, pages 626, 698, 882.

SOLICITATION OF FUNDS

By or on behalf of certain associations or organizations, regulated. S. B. 268, pages 539, 695.

SOLICITOR, CIRCUIT

Appropriation, for telephone service, stationery, stamps, and office equipment. H.B. 130, pages 241, 286, 300.

Eighth judicial circuit, special funds for use of, created. S. B. 215, pages 417, 554, 614, 1100, 1101, 1143, 1566.

Fourth judicial circuit, solicitor's fund, created. S. B. 188, pages 347, 554, 613, 1210, 1262, 1567.

Gambling devices, duty in forfeiture and condemnation of, code sections amended. H. B. 78, pages 128, 765.

SOLICITOR, CIRCUIT—Continued

Judicial circuits composed of one county and having not less than four nor more than nine judges, compensation. H. B. 699, pages 580, 639, 709, 746.

Reidentification and registration of voters, designated as representatives of the attorney general in regard to. S. B. 175, pages 312, 501.

Sixth judicial circuit, secretary, compensation. H. B. 562, pages 781, 861, 1280, 1422.

Sixth judicial circuit, solicitor's fund created. H. B. 561, pages 743, 872, 904.

Tenth judicial circuit, supplemental salary. S. B. 341, pages 860, 1001, 1159, 1193, 1567.

Thirteenth judicial circuit, solicitor's fund created. H. B. 75, pages 157, 298, 403, 410.

Thirty-second judicial circuit, created, solicitor provided for. H. B. 16, pages 196, 298, 341, 355.

Twelfth judicial circuit, solicitor's fund, created. S. B. 197, pages 388, 421, 467, 1367, 1406, 1567.

Twenty-fourth judicial circuit, law enforcement fund for use created. H. B. 772, pages 1211, 1383.

SOLICITOR, COUNTY

Colbert County, office space and telephone service. H. B. 905, pages 919, 1062, 1286, 1438.

Counties 29,500 to 30,500 population, additional compensation. H. B. 759, pages 718, 743, 872, 905.

St. Clair County, office created. S. B. 366, pages 1045, 1186, 1454, 1474, 1568.

SOLICITOR, DEPUTY

Appropriation, for telephone service, stationery, stamps and of equipment. H. B. 130, pages 195, 241, 286, 300.

Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pages 326, 351, 460, 477.

Chilton County, office created. H. B. 1031, pages 1225, 1316, 1472.

Counties 29,500 to 30,000 population, additional compensation. H. B. 759, pages 718, 743, 872, 905.

Counties 400,000 or more population compensation. H. B. 939, pages 999, 1064, 1291, 1440.

Lamar County, salary. H. B. 975, pages 1072, 1191, 1304, 1424.

Pike County, clerk authorized. S. B. 184, pages 313, 351, 451, 537, 735.

St. Clair County, office abolished. S. B. 366, pages 1045, 1186, 1454, 1474, 1568.

SOLICITOR, DEPUTY—Continued

Tenth judicial circuit, assistant deputy circuit solicitor, compensation. H. B. 971, pages 1107, 1190, 1300, 1425.

Tenth judicial circuit, Bessemer division, salary. H. B. 949, pages 997, 1065, 1295, 1428.

Tenth judicial circuit, compensation. H. B. 971, pages 1107, 1190, 1300, 1425.

Tenth judicial circuit, fourth, fifth, and sixth deputy solicitors compensation. H. B. 592, pages 790, 857, 1403, 1435.

Twenty-third judicial circuit, office created. H. B. 627, pages 791, 1056, 1394, 1435.

SOUTHERN GOVERNORS' CONFERENCE

Appropriation, payment of expenses of. H. B. 119, pages 157, 350, 408, 426.

SOUTHERN INDUSTRIAL INSTITUTE

Appropriation. S. B. 80, pages 100, 495, 897; H. B. 215, pages 681, 696, 896, 908.

SOUTHERN REGIONAL EDUCATION COMPACT

Joint resolution providing for the admittance of Delaware and West Virginia into. H. J. R. 21, pages 196, 197, 208.

SOUTHERN UNIVERSITY

Appropriation to restore interior of building formerly housing. H. B. 774, pages 755, 768, 901, 941.

ST. CLAIR COUNTY

Board of revenue, created. H. B. 162, page 111.

Boundaries between Calhoun and Talladega Counties, certain ones relocated along center line of the Coosa River. S. B. 163, page 271.

Circuit clerk, clerk hire allowance. S. B. 249, pages 488, 519, 708, 737, 1566.

Court of county commissioners, abolished. H. B. 162, page 111.

Judge, circuit, compensation. S. B. 9, pages 5, 25, 35, 471, 485, 735.

Judge, circuit, compensation, act amended. S. B. 365, page 1045; S. B. 342, pages 807, 857; H. B. 931, pages 915, 1056, 1281, 1422.

Ragland, town of, boundaries altered. H. B. 1032, pages 1243, 1316, 1421, 1472.

Sheriff, chief deputy and other deputies, compensation. S. B. 248, pages 487, 519, 610, 708, 737, 1565.

Solicitor, county, office created. S. B. 366, pages 1045, 1186, 1264, 1454, 1474, 1568.

Solicitor, deputy, office abolished. S. B. 366, pages 1045, 1186, 1264, 1454, 1474, 1568.

Superintendent of education, compensation and expense allowance, act amended. H. B. 132, pages 86, 199, 229, 232.

STATE BUDGET

Governor's message relative to. Page 93.

STATE FIRE COLLEGE

Created. S. B. 87, pages 101, 556; H. B. 166, pages 805, 859, 1550.

STATE FISH

Tarpon designated as official state salt water fish. H. B. 742, pages 702, 867, 1559, 1570.

STATE GEOLOGIST

Alabama oil and gas commission, designated as consultant to. S. B. 73, page 75; S. B. 122, pages 136, 354.

State oil and gas supervisor ex officio, designating as, act amended. S. B. 138, page 204.

STATE INSURANCE FUND

Establishment of, code section amended. S. B. 224, pages 418, 768.

Establishment and regulation of, code section amended. S. B. 92, page 102.

STATE OFFICE BUILDINGS

Public corporation created for purpose of constructing. S. B. 18, page 7; H. B. 33, pages 99, 350, 410, 483, 564, 565, 596, 597, 598, 599, 601, 678, 679, 705, 706, 707, 745.

STATE PUBLIC HIGHWAY AND TRAFFIC CONTROL FUND

Establishment of, act amended. S. B. 50, pages 23, 76, 109, 163, 214.

STATE TENURE COMMISSION

Created. S. B. 45, page 22.

STATE TEXTBOOK COMMITTEE

Establishment of, act amended. S. B. 39, pages 21, 640.

STATE TEXTBOOK PURCHASING BOARD FUND

Balance in fund each year appropriated for expenditure by board in ensuing year. S. B. 41, page 22.

STATE TRAINING SCHOOL FOR GIRLS

Appropriation. S. B. 86, page 101; H. B. 211, pages 680, 858, 1024, 1025, 1035, 1036, 1037, 1038, 1070, 1071, 1072, 1123, 1124, 1251, 1254, 1429.

STATE TREASURY

General fund created in. S. B. 84, page 101.

STONEWALL JACKSON MEMORIAL FUND

Established. S. B. 25, pages 10, 25, 35, 1482, 1533, 1568.

STREETS

Cities 6,000 or less population, certain obligations for purpose of constructing not deemed indebtedness within meaning of constitutional debt limit. S. B. 228, pages 418, 553, 891, 1389, 1406, 1567.

STREETS—Continued

Grade of streets, sidewalks and curbs about to be improved, code section amended. S. B. 257, pages 491, 560.

SUBPOENAS

Counties 400,000 or more population, service of, by certified mail, authorized. H. B. 883, pages 988, 1061, 1283, 1437.

Service of by, certified mail, authorized. H. B. 884, pages 1022, 1056.

SUITS

Actions or suits in state courts, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. S. B. 145, page 217; H. B. 125, pages 413, 419, 1535, 1542.

Depositions of witnesses or parties upon oral examination for discovery of or use as evidence, taking of, provided for. H. B. 1006, pages 1275, 1311, 1380, 1538, 1550.

Joinder of any number of employees of same employer as plaintiffs in actions involving disputes over payment of wages. H. B. 174, pages 288, 349, 408, 426.

SUMTER COUNTY

Board of commissioners, act creating, amended. H. B. 919, pages 969, 1062, 1288, 1439.

SUNDAYS

Certain acts on, prohibited, code section amended. S. B. 201, pages 399, 641.

Holidays, legal, designating Sunday and certain other days as, code section amended. H. B. 151, pages 207, 766.

SUPERINTENDENT OF BANKS

Compensation. H. B. 30, pages 161, 351, 574, 575, 576, 591, 592, 700, 701, 744.

SUPERINTENDENT OF COUNTY SCHOOLS

Cullman County, act creating office of, amended. H. B. 18, pages 42, 77, 108, 117.

SUPERINTENDENT OF EDUCATION, CITY

City schools, educational policy of, code section amended. S. B. 160, page 271.

Placement or assignment of pupils to schools. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 28, page 11; S. B. 52, pages 24, 299, 358.

SUPERINTENDENT OF EDUCATION, COUNTY

Blount County, election, duties, compensation, act amended. H. B. 658, pages 586, 639, 711, 745.

Clarke County, election, compensation, act amended. H. B. 896, pages 939, 1061, 1285, 1437.

Cleburne County, compensation. H. B. 510, pages 438, 457, 604, 624.

Colbert County, office created. H. B. 904, page 980; H. B. 511, pages 439, 557, 615, 620, 621.

SUPERINTENDENT OF EDUCATION, CITY—Continued

- Counties 19,200 to 20,000 population, compensation. H. B. 114, pages 86, 103, 132, 143.
- Counties 63,750 to 72,750 population, compensation. S. B. 148, pages 217, 242, 281, 385, 387, 735.
- Counties where elected, qualifications and election. S. B. 165, pages 296, 519.
- Geneva County, selection and qualifications. S. B. 375, pages 1053, 1188, 1266.
- Lawrence County, election. H. B. 781, pages 792, 862, 1005, 1041.
- Marion County, election, compensation, act amended. H. B. 908, pages 951, 1062, 1287, 1438.
- Morgan County, compensation, act amended. H. B. 1017, pages 1232, 1355, 1418, 1489.
- Pickens County, compensation, expenses. S. B. 150, pages 239, 254, 301, 385, 387, 735.
- Placement or assignment of pupils to schools. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 28, page 11; S. B. 52, pages 24, 299, 358.
- St. Clair County, compensation and expense allowance, act amended. H. B. 132, pages 86, 199, 229, 232.

SUPERINTENDENT OF EDUCATION, STATE

- Appropriation, for contracting with Tuskegee Institute to teach certain courses to Alabama residents. S. B. 82, pages 100, 554, 897; H. B. 217, pages 681, 696, 896, 908.
- Attendance of pupils at school, preparation of rules and regulations for enforcement of, code section repealed. H. B. 296, pages 563, 594, 643, 644, 661; S. B. 52, pages 24, 299, 358.
- Executive assistant to, and assistant state superintendent of education, salaries. S. B. 44, page 22.

SUPREME COURT

- Appeals in habeas corpus cases, code section amended. H. B. 167, pages 195, 218, 250; S. B. 59, page 31.
- Bonds issued by certain public corporations, validation of, prior to issuance, act amended. S. B. 258, page 491.
- Bonds issued by city or county, validation of, prior to issuance, appeals to, code section amended. S. B. 259, page 492.
- Communication from Judicial Department relative to S. B. 2. Page 541.
- Communication from Judicial Department relative to S. J. R. 8. pages 81, 81, 82, 548.
- Confidential secretaries, appointment and compensation, code section amended. S. B. 103, pages 124, 350, 407, 634, 635, 661, 735.
- Supernumerary justices of, election to become, code section relating to, amended. S. B. 104, pages 124, 420, 648, 991, 1019, 1566.

TALLADEGA, CITY OF

- Boundaries altered. H. B. 559, pages 443, 497, 608, 623.

TALLADEGA COUNTY

Boundaries between St. Clair and Shelby Counties, certain ones relocated along center line of the Coosa River. S. B. 163, page 271.

Civil and misdemeanor court of south Talladega County, appointment and compensation of clerk. H. B. 920, page 971.

Cole, Mrs. H. F., relief of. S. B. 250, pages 489, 519, 610, 608, 737, 1566.

Coroner, clerk authorized. S. B. 323, pages 738, 769, 875, 1100, 1144, 1566.

Governing body authorized to appropriate funds for the payment of certain obligations of the county. H. B. 165, pages 114, 127, 149, 161.

Hubbard, Mrs. Dan, relief of. S. B. 250, pages 489, 519, 610, 708, 737, 1566.

Inferior court in beat 12, created. H. B. 1029, page 1215.

Joiner, Manly R., relief of. H. B. 280, page 173.

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Jury rolls, preparation of, and filling and refilling of jury boxes, regulated. H. B. 1005, pages 1162, 1206, 1434.

Qualified electors, defining persons presumed to be. S. B. 36, pages 20, 33, 91, 155, 160, 734.

Register, appropriation for relief of. H. B. 280, page 173.

Register, clerk hire allowance, act amended. H. B. 279, pages 172, 220, 278, 295.

Reidentification of voters. S. B. 315, pages 690, 742, 870, 1099, 1143, 1360, 1566.

Sheriff, deputies and assistants, compensation, act amended. S. B. 191, pages 347, 422, 707, 799, 802, 1566.

Talladega, city of, boundaries altered. H. B. 559, pages 443, 497, 608, 623.

TALLAPOOSA COUNTY

Fishing in public waters of, regulated. H. B. 93, pages 52, 103, 131, 142.

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TARPON

State salt water fish, designated as. H. B. 742, pages 702, 867, 1559, 1570.

TAX ASSESSOR

Bullock County, compensation. H. B. 704, pages 582, 640, 724, 752.

Bullock County, regulating fees, commissions, and salary, constitutional amendment. H. B. 703, pages 583, 640, 723, 752.

Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pages 326, 351, 460, 477.

TAX ASSESSOR—Continued

- Compensation, code section amended. H. B. 190, pages 1021, 1186, 1555, 1556, 1565, 1570.
- Constitutional amendment abolishing fee system of compensating. S. B. 10, pages 5, 421.
- Constitutional amendment relative to abridgment of term of office. S. B. 30, pages 11, 125, 139, 140.
- Constitutional amendment relative to term of office.
- Counties 30,700 to 31,400 population and having two courthouses and a court of county commissioners, office equipment, supplies, and clerical assistance. H. B. 809, pages 947, 1060, 1282, 1423.
- Counties 80,000 to 94,000 population, compensation. S. B. 357, pages 853, 946; H. B. 958, pages 1072, 1189, 1302, 1359, 1360, 1441.
- Counties 500,000 or more population, salary. H. B. 943, pages 999, 1064, 1293, 1427.
- Elmore County, compensation, constitutional amendment. H. B. 24, pages 175, 496, 606, 620.
- Elmore County, placed on salary. H. B. 413, pages 397, 497, 607, 621.
- Limestone County, clerical assistance, act amended. H. B. 225, pages 182, 218, 276, 294.
- Mobile County, payment of salary, regulated. H. B. 634, pages 520, 556, 616, 625.
- Mobile County, act providing for chief clerk, amended. H. B. 901, pages 916, 1061, 1286, 1438.
- Mobile County, salary. H. B. 72, pages 51, 78, 129, 142.
- Morgan County, compensation, clerical assistance, act amended. H. B. 1013, pages 1214, 1314, 1416, 1489.
- Official bond a lien on property of, code section amended. S. B. 72, pages 75, 125, 158, 247.
- Official bond a lien on property of, code section repealed. S. B. 106, pages 124, 218, 247, 1367, 1406, 1567.
- Russell County, act authorizing deputy, amended. H. B. 1004, pages 1161, 1206, 1380, 1434.
- Wilcox County, clerk hire allowance. H. B. 652, pages 534, 619.

TAX COLLECTOR

- Bullock County, compensation. H. B. 704, pages 582, 640, 724, 752.
- Bullock County, regulating fees, commissions and salary, constitutional amendment. H. B. 703, pages 583, 640, 723, 752.
- Ad valorem tax, exemptions from, code section amended. H. B. 477, page 446.
- Ad valorem taxes for public school purposes, additional, constitutional amendment. S. B. 35, pages 19, 421, 600, 1396, 1397, 1445, 1567.

TAX COLLECTOR—Continued

- Ad valorem taxes, non-producing interests upon oil, gas and other minerals, created, transferred, or registered, exempt from. H. B. 192, pages 1275, 1312.
- Ad valorem taxes, non-producing severed mineral and royalty interests, created, transferred, or registered, exempt from. H. B. 192, pages 1275, 1312.
- Ad valorem taxes, program for equal assessment of real property urged, joint resolution. S. J. R. 12, pages 159, 251, 254, 255.
- Attorneys, privilege license, code section amended. S. B. 345, page 808.
- Butler County, ad valorem tax for school purposes constitutional amendment. H. B. 745, pages 715, 767, 874, 904.
- Chilton County, ad valorem tax for school purposes, constitutional amendment. H. B. 991, pages 1153, 1205, 1377, 1412.
- Coal mines, privilege license, code section levying, repealed. S. B. 22, pages 8, 540, 647, 1384, 1406, 1567.
- Cold storage plants, packing houses, and refrigerated warehouses, privilege license, code section amended. H. B. 160, pages 206, 241, 286, 301.
- Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pages 326, 351, 460, 477.
- Compensation, code section amended. H. B. 189, pages 1021, 1186, 1553, 1554, 1565, 1570.
- Constitutional amendment abolishing fee system of compensating. S. B. 10, pages 5, 421.
- Constitutional amendment relative to abridgment of term of office. S. B. 30, pages 11, 125, 139, 140.
- Counties 30,700 to 31,400 population and having two courthouses and a court of county commissioners, office equipment, supplies, and clerical assistance. H. B. 809, pages 947, 1060, 1282, 1423.
- Counties 80,000 to 94,000 population, compensation. S. B. 357, pages 853, 946; H. B. 958, pages 1072, 1189, 1302, 1359, 1360, 1441.
- Counties 500,000 or more population, salary. H. B. 943, pages 999, 1064, 1293, 1427.
- Elmore County, compensation, constitutional amendment. H. B. 24, pages 175, 496, 606, 620.
- Elmore County, placed on salary. H. B. 413, pages 397, 497, 607, 621.
- Limestone County, clerical assistance, act amended. H. B. 227, pages 184, 219, 277, 294.
- Mobile County, payment of salary regulated. H. B. 634, pages 520, 558, 618, 625.
- Mobile County, salary. H. B. 419, pages 308, 317, 406, 411.
- Morgan County, compensation, clerical assistance, act amended. H. B. 1014, pages 1234, 1315, 1417, 1489.
- Official bond a lien on property of, code section amended. S. B. 72, pages 75, 125, 158, 247.

TAX COLLECTOR—Continued

Official bond a lien on property of, code section repealed. S. B. 106, pages 124, 218, 247, 1367, 1406, 1567.

Russell County, act authorizing deputy, amended. H. B. 1004, pages 1161, 1206, 1380, 1434.

Wilcox County, clerk hire allowance. H. B. 652, pages 534, 619.

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Joint resolution creating. H. J. R. 50, pages 601, 634, 883.

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Ad valorem taxes, equalization of assessed property valuations among the counties, code section amended. S. B. 183, page 313.

Counties 80,000 to 94,000 population, sales and use taxes, levy authorized. H. B. 878, pages 1195, 1204, 1375.

Counties 400,000 or more population, beer tax, act amended. H. B. 937, pages 1000, 1063, 1290, 1291, 1439.

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Financial institutions authorized to apply net operating losses as deduction against prior and future income. H. B. 857, pages 1013, 1058, 1536, 1550; S. B. 280, pages 579, 699, 703.

Financial institutions, payment and distribution of taxes on, code section amended. S. B. 218, pages 417, 499, 1120, 1121.

Forest products severance tax, act levying, amended. S. B. 306, pages 688, 899, 1369, 1407, 1567; S. B. 307, pages 689, 741, 898, 1482, 1533, 1568.

Franklin County, sales and use taxes levied. H. B. 397, pages 371, 556, 614, 621, 704, 705, 745.

Gasoline tax, discount to dealers and distributors to defray cost of collecting. H. B. 221, pages 1181, 1203, 1404, 1436.

Gasoline tax, refund of gasoline consumed in engines used for irrigation purposes. S. B. 247, page 481.

Gasoline tax, refund on gasoline consumed in farm tractors and commercial fishing boats, act amended. S. B. 321, page 691.

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Hotels, motels, tourist courts, privilege license levied on. H. B. 87, pages 680, 767, 842, 844, 890.

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Income tax, time and method of payment. H. B. 273, pages 679, 820, 1015, 1016, 1020, 1045.

Income tax, withholding tax from wages, provided for. H. B. 273, pages 679, 820, 1015, 1016, 1020, 1045.

TAXATION—Continued

- Lawrence County, special school district taxes, authorized, constitutional amendment. S. B. 234, pages 453, 554, 613, 708, 737, 1565.
- Lee County, ad valorem tax for school purposes, constitutional amendment. H. B. 754, pages 715, 767, 874, 904.
- Lee County, cities of Auburn and Opelika, ad valorem tax for school purposes, constitutional amendment. H. B. 783, pages 776, 822, 879, 881, 889, 907.
- Licenses, state and county, distribution of proceeds of. H. B. 43, pages 837, 859, 1310, 1425.
- Limestone County, additional ad valorem tax, constitutional amendment. H. B. 785, pages 775, 822, 878, 907.
- Limestone County, additional taxes for fire protection, constitutional amendment. H. B. 545, pages 429, 457, 604, 622.
- Limestone County, sales and use taxes, calling election to authorize. H. B. 546, pages 430, 457, 605, 622.
- Lubricating oil, distribution of proceeds of tax on, code section amended. S. B. 128, pages 152, 218, 291.
- Marion County, chewing gum, candies, and snack-bar items, ordering election to authorize levy of privilege license on. H. B. 629, pages 527, 557, 616, 624.
- Marion County, hydro-electric public utilities, privilege license on, act amended. H. B. 632, pages 521, 558, 617, 624; H. B. 340, pages 260, 283, 284.
- Marion County, soft drinks, privilege license, calling election to authorize. H. B. 633, page 523.
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